

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 25-60333-CV-MIDDLEBROOKS

ALEXEY SAMOKHIN,

Petitioner,

vs.

WARDEN, BROWARD TRANSITIONAL
CENTER, *et al,*

Respondents.

**RESPONDENTS' MEMORANDUM OF FACT AND LAW IN RESPONSE TO THE
ORDER TO SHOW CAUSE AND IN OPPOSITION TO PETITIONER'S PETITION
FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. §2241**

Respondents, by and through the undersigned Assistant United States Attorney, and in response to the Court's Order to Show Cause [DE 5], hereby file this memorandum of fact and law in opposition to Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 filed on February 20, 2025 [DE 1] (the "Petition"). On February 21, 2025, the Court ordered Respondents to file a "memorandum of fact and law to show cause why this Petition should not be granted and shall file all necessary documents for the resolution of the Petition." *See* DE 5 at pg. 2. For the reasons set forth herein, Respondents respectfully request that the Court deny the Petition and dismiss this matter in its entirety.

PROCEDURAL HISTORY AND FACTUAL BACKGROUND

Petitioner is a native and citizen of Russia, who was admitted to the United States at Miami, Florida on or about April 14, 2022, as a B2 visitor for pleasure, with authorized stay in the United States until October 13, 2022. *See Exhibit A*, Form I-213, Record of Deportable/Inadmissible Alien ("Form I-213") dated June 10, 2024.

On June 9, 2024, Petitioner was arrested in Naples, Collier County, Florida for Driving Under the Influence of Alcohol in violation of Florida Statutes § 316.193. *State of Florida vs. Alexey Samokhin*, Case No. 24-001820CT (RLC)(KJW) (Collier County, Florida). See **Composite Exhibit B**, Arrest and Court Record. The case is pending before the County Court for the Twentieth Judicial Circuit, in and for Collier County, Florida.

On June 9, 2024, the United States Department of Homeland Security issued a Warrant for Arrest of Alien, ordering the arrest of Petitioner and for him to be taken into custody for removal proceedings under the Immigration and Nationality Act. See **Exhibit C**, Warrant of Arrest dated June 9, 2024. On June 10, 2024, Petitioner was encountered by U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), at the Collier County Jail located in Naples, Florida. See Exhibit A, Form I-213. Petitioner was placed in removal proceedings upon service and filing of a Notice to Appear (NTA) dated June 10, 2024. See **Exhibit D**, Notice to Appear dated June 10, 2024 (NTA). The NTA charged Petitioner with removability pursuant to § 237(a)(1)(B) of the Immigration and Nationality of Act, as amended, in that after admission as a nonimmigrant under § 101(a)(15) of the Act, Petitioner remained in the United States for a time longer than permitted, in violation of the Act or any other law of the United States. See Exhibits A and D. Petitioner was taken into ICE ERO custody, pursuant to a Warrant of Arrest. See Exhibit C.

On November 1, 2024, the immigration judge denied the Petitioner's application for relief and ordered Petitioner removed to Russia. See **Exhibit E**, Removal Order dated November 1, 2024. On November 14, 2024, Petitioner, through counsel, filed a motion with the immigration court, requesting the issuance of a final removal order, indicating Petitioner would not be appealing the immigration judge's removal order. See **Exhibit F**, Petitioner's Motion for

the Final Removal Order, dated November 14, 2024. On November 14, 2024, the immigration judge issued an amended order, reflecting that Petitioner waived appeal. *See Exhibit G*, Removal Order dated November 14, 2024. Petitioner's removal order is administratively final. *See* 8 C.F.R. § 1241.1 (removal order becomes administratively final upon waiver of right to appeal). Petitioner remains in ICE custody, pending his removal from the United States. *See Exhibit H*, Detention History and *Exhibit I*, Declaration of Deportation Officer John Mansey.

On February 7, 2025, Petitioner was served with the Notice to Alien of File Custody Review. *See Exhibit J*, Notice of Alien of file Custody Review. Petitioner refused to sign the Notice to Alien of File Custody Review. *Id.*

On February 20, 2025, Petitioner filed this habeas petition, challenging his continued detention pursuant to Section 241 of the Immigration and Nationality Act, arguing that his detention is prolonged and unlikely to occur in the reasonably foreseeable future. However, Petitioner's habeas petition is premature, and he has failed to meet his burden of proving that there is no significant likelihood of his removal in the reasonably foreseeable future, where his travel is scheduled to occur within the next 30 days. *See* Ex. I at ¶ 10 (stating Petitioner is scheduled to be removed from the United States to Russia within the next 30 days).

For the reasons set forth below, the petition should be dismissed.

MEMORANDUM OF LAW

In this § 2241 habeas Petition, Petitioner requests that the Court release Petitioner from his detention in immigration custody. Petitioner is in immigration custody pending removal from the United States, pursuant to a final order of removal, dated November 14, 2024. Petitioner argues that the grounds for his release are: (1) violation of due process under the Fifth Amendment; (2) violation of the Fourth Amendment, as an ICE officer arrested him without

issuing a warrant or having probable cause, and false arrest or false imprisonment, as the ICE officer lacked any lawful authority to arrest or detain him; and (3) violation of the Sixth Amendment due to ineffective assistance of counsel. *See* DE 1 at ¶ 13.

For the reasons outlined below, the Court lacks jurisdiction to review Petitioner's final order of removal and lacks jurisdiction to review decisions to commence proceedings, adjudicate cases, or execute removal orders. Additionally, as reflected in the exhibits, the ICE officer did arrest Petitioner pursuant to a warrant. Furthermore, Petitioner is required to exhaust any claim of ineffective assistance of counsel by way of a motion to reopen his case before the immigration court. This Court again lacks jurisdiction to review this claim. Petitioner's habeas petition is premature as he has been in post-removal detention for less than 180 days, and he has failed to meet his burden of proving that there is no significant likelihood of his removal in the reasonably foreseeable future.

I. Petitioner's Claim of Violation of the Fifth Amendment as a Basis for Habeas Relief Fails.

First, Petitioner's claim of violation of due process under the Fifth Amendment fails. Petitioner's custody is pursuant to a lawful removal order final as of November 14, 2024, and the Court lacks jurisdiction to review removal orders under the Real ID Act. Additionally, Petitioner's claim that he is "seeking release from an indefinite detention" fails under *Zadydas v. Davis*, 533 U.S. 678 (2001) and is premature under *Akinwale v. Ashcroft*, 287 F.3d 1050 (11th Cir. 2002), and is not a basis for the relief he seeks in the Petition.

a. The Court lacks subject matter jurisdiction to review Petitioner's Removal Order

As a threshold matter, the Court of Appeals has exclusive jurisdiction of the judicial review of removal orders. In May 2005, then President Bush signed into law the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief

Act of 2005. Division B was the REAL ID Act of 2005, Pub. L. 109-13, Div. B, 119 Stat. 231 (2005) (“REAL ID”). Section 106 of REAL ID amended section 242 of the INA, 8 U.S.C. § 1252, which pertains to judicial review of orders of removal. Of significance here are the amendments to 8 U.S.C. § 1252(a) to add a new subsection (5); the amendment of 8 U.S.C. § 1252(b)(9); and the addition of 8 U.S.C. § 1252(g), which together, limits the review of any claim related to the execution of a removal order to the Court of Appeals.

8 U.S.C. § 1252(a)(5)

REAL ID § 106(a)(1)(B) amended 8 U.S.C. § 1252(a) to add a new subsection (5), which states:

EXCLUSIVE MEANS OF REVIEW – Notwithstanding any other Provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a petition for review filed with the appropriate court of appeals in accordance with this section shall be the sole and exclusive means for judicial review of an order of removal entered or issued under any provision of the Act, except as provided in subsection (e). For purposes of this Act, in every provision that limits or eliminates judicial review or jurisdiction to review, the terms “judicial review” and “jurisdiction to review” include habeas corpus review pursuant to section 2241 of title 28, United States Code, or any other habeas corpus provision, sections 1361 and 1651 of such title, and review pursuant to any other Provision of law (statutory or nonstatutory).

In *Balogun v. U.S. Atty Gen.*, 425 F.3d 1356 (11th Cir. 2005), the Eleventh Circuit reviewed the legislative history of the REAL ID Act and noted that Congress viewed the Supreme Court’s decision in *INS v. Cyr*, 533 U.S. 289 (2001), as giving criminal aliens “more judicial review than non-criminals.” *Balogun*, 425 F.3d at 1360 (citing 151 Cong. Rec. H2813). An alien who had not committed crimes only had one opportunity to appeal a final removal order, at the courts of appeals, while a criminal alien could file a petition for review to the courts of appeals and then a petition for writ of habeas corpus under 28 U.S.C. § 2241. The Eleventh

Circuit noted that “Congress found that this double-layered review for criminal aliens prolonged and complicated the removal process.” *Id.*

The Eleventh Circuit then summarized the jurisdictional impact of the REAL ID Act:

Section 106(a)(1)(A)(iii) of the REAL ID Act replaces the two levels of review with one. A criminal alien must now petition the court of appeals for review of all claimed legal errors relating to the BIA’s final order of removal. The Act accomplished this by restoring the courts of appeal’s jurisdiction to review all legal errors in a removal order for criminal aliens. Habeas review become unnecessary. The provisions of 28 U.S.C. § 2241 no longer play any role in immigration cases.

Id. at 1360. Thus, with the enactment of § 1252(a)(5), neither 28 U.S.C. § 2241, the Suspension Clause (Art. 1, § 9, cl. 2), nor 28 U.S.C. § 1331 provide a jurisdictional basis for the district court to review an order of removal. Here, Petitioner is filing a habeas action under 28 U.S.C. § 2241 as a vehicle for obtaining judicial review of his removal order, but that has been foreclosed by the enactment of 8 U.S.C. § 1252(a)(5), which states:

Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a petition for review filed with the appropriate court of appeals in accordance with this section shall be the sole and exclusive means for judicial review of an order of removal entered or issued under any provision of the Act, except as provided in subsection (e) of this section. Further, 28 U.S.C. § 1331, federal question jurisdiction, is also precluded as a basis for subject matter jurisdiction by section 1252(a)(5).

The “[n]otwithstanding any other provision of law” language is a general repealing clause, which serves to override any other provision of law which may conflict with section 1252(a)(5). *See Miccosukee Tribe of Indians of Florida v. U.S. Army Corps of Engineers*, 619 F.3d 1289, 1297 (11th Cir. 2010), *Cisneros v. Alpine Ridge Group, Inc.*, 508 U.S. 10, 18 (1993). Thus, section 1252(a)(5) overrides 28 U.S.C. § 1331 as a basis for judicial review of an order of removal.

8 U.S.C. § 1252(b)(9)

The REAL ID Act also amended 8 U.S.C. § 1252(b)(9) which categorically excluded 28 U.S.C. § 2241, 28 U.S.C. § 1361 and 28 U.S.C. § 1651 as a basis for a district court to review an order of removal. Title 8, U.S.C. § 1252(b)(9) provides:

Judicial review of all questions of law and fact, including interpretation and application of constitutional and statutory provisions, arising from any action taken or proceedings brought to remove an alien from the United States under this subchapter shall be available only in judicial review of a final order under this section. Except as otherwise provided in this section, no court shall have jurisdiction, by habeas corpus under section 2241 of Title 28, or any other habeas corpus provision, by section 1361 or 1651 or such title, or by any other provision of law (statutory or nonstatutory), to review such an order or such questions of law or fact.

In *Ivantchouk v. U.S. Atty. Gen.*, 417 Fed. Appx. 918 (11th Cir. 2011), the Eleventh Circuit surveyed the REAL ID Act amendments to section 1252, the addition of section (a)(5), and amendment of section 1252(a)(9) and observed, “the REAL ID Act expanded appellate courts’ jurisdiction to consider constitutional and legal questions in a petition for review of the immigration proceedings, and it rendered a petition for review the alien’s exclusive means for review of the removal order.” *Id.* at 921. Thus, 8 U.S.C. § 1252(b)(9) excludes 28 U.S.C. § 2241 and 28 U.S.C. § 1651 as a basis for judicial review for a district court to review an order of removal.

8 U.S.C. § 1252(g)

A third provision, 8 U.S.C. § 1252(g) also divests this Court of jurisdiction to review Petitioner’s order of removal. Section 1252(g) provides as follows:

(g) Exclusive jurisdiction

Except as provided in this section and notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.

In *Reno v. American-Arab Anti-Discrimination Cmte*, 525 U.S. 471 (1999) the Supreme Court observed that 8 U.S.C. § 1252(g) applies to “three discrete actions that the Attorney General may take: her ‘decision or action’ to commence proceedings, adjudicate cases, or execute removal orders.” *Id.* at 482 (emphasis in original) (internal quotations omitted). As to its purpose, the Court found that Section 1252(g) “performs the function of categorically excluding from non-final order judicial review . . . certain specified decision and actions of the INS.” *Id.* at 483. In other words, Petitioner can only obtain judicial review of his removal order through a petition for review filed with the Court of Appeals. As reflected in his Petition, he has not done so. *See* DE 1 at ¶ 11(d).

Accordingly, pursuant to 8 U.S.C. § 1252(a)(5), 1252(b)(9), and 1252(g), this Court lacks subject matter jurisdiction to review Petitioner’s order of removal. “Without subject matter jurisdiction, a court has no power to decide anything except that it lacks jurisdiction.” *United States v. Salmona*, 810 F.3d 806, 810 (11th Cir. 2016) (citation omitted); *see also Hernandez v. Mayorkas*, No. 21-23800-CIV, 2022 WL 4117073, at *6 (S.D. Fla. Mar. 15, 2022) (demonstrating that numerous courts have stated that federal district courts lack jurisdiction to review an order of removal like the one at issue here and collecting cases regarding same).

b. Zadydas provides the process that is due under the Constitution.

Petitioner vaguely asserts that he seeks “release from an indefinite detention” but does nothing to establish that there is no significant likelihood of removal in the reasonably foreseeable future. Petitioner has been in custody pursuant to a final order of removal as of November 14, 2024, and filed this Petition on February 20, 2025, and therefore his post-removal detention is well under the “presumptively reasonable” six-month period as held in *Zadydas v. Davis*, 533 U.S. 678 (2001), and this claim of violation of due process fails.

Following the entry of a final removal order, the Attorney General has ninety days to accomplish removal. 8 U.S.C. § 1231(a)(1)(A). Under certain circumstances, the Attorney General may continue to detain an alien after the removal period expires. *Id.* at § 1231(a)(6). 8 U.S.C. § 1231(a)(6) authorizes the extension of the removal period for an individual:

ordered removed who is inadmissible under [8 U.S.C. § 1182], removable under [8 U.S.C. § 1227(a)(1)(C)], [8 U.S.C. § 1227(a)(2)], or [8 U.S.C. § 1227(a)(4)] . . . or who has been determined by the Attorney General to be a risk to the community or unlikely to comply with the order of removal[.]

8 U.S.C. § 1231(a)(6). Here, Petitioner is subject to this extension of the removal period because he is subject to an administrative final order of removal and is unlikely to comply with the order as a flight risk. *See Zadvydas*, 533 U.S. at 699 (recognizing that “[courts] should measure reasonableness primarily in terms of the statute's basic purpose, namely, assuring the alien's presence at the moment of removal”).

In *Zadvydas*, the Supreme Court held that 8 U.S.C. § 1231(a) contains an implicit temporal limitation on the Government's authority to detain noncitizens for a “presumptively reasonable period” of six months. *Zadvydas*, 533 U.S. at 701; *see also Clark v. Martinez*, 543 U.S. 371, 386 (2005). The *Zadvydas* Court clarified that the presumptively reasonable detention period did not mean that every noncitizen not removed within six months must be released. *Zadvydas*, 533 U.S. at 701. “To the contrary, [a noncitizen] may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future.” *Id.*

In *Akinwale v. Ashcroft*, 287 F.3d 1050 (11th Cir. 2002), the Eleventh Circuit held that to state a claim under *Zadvydas*, “the [noncitizen] not only must show post removal order detention in excess of six months but also must provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” *Akinwale*, 287 F.3d at

1052. Where a noncitizen cannot meet his burden of establishing that the evidence shows that there is a significant likelihood of removal in the reasonably foreseeable future, a petition for habeas corpus should be dismissed. *See, e.g., Oladokun v. U.S. Atty. Gen.*, 479 F. App'x 895, 897 (11th Cir. 2012); *Akinwale*, 287 F.3d at 1052.

Here, the Petition is premature pursuant to *Zadvydas* and *Akinwale* as Petitioner has been detained pursuant to a removal order since November 14, 2024, well short of the 180-day period. Regardless, even if Petitioner had been detained post-removal for longer than 180 days, he cannot meet his burden in establishing that there is no significant likelihood of his removal in the reasonably foreseeable future. In fact, the unrebutted evidence shows the opposite as he has been rescheduled to be removed from the United States to Russia within the next 30 days because, while he was previously scheduled for removal to Russia, he missed his connecting flight due to flight delays and had to be returned to the Broward Transitional Center. *See* Exhibit J at ¶ 10. This claim fails.

c. Due Process does not require Petitioner's release or a bond hearing

Petitioner next claims that his detention without conducting a bond hearing violates due process under the Fifth Amendment. *See* DE 1 at ¶ 13, Ground Four. However, due process also does not compel Petitioner's release or a bond hearing. In fact, *Zadydas* already considered the process necessary to protect against potential encroachments on a detained non-citizen's constitutional rights and declined to require a bond hearing. In *Zadvydas*, the Supreme Court determined what "limits" the "Constitution's demands" imposed on "post-removal period detention" pursuant to 8 U.S.C. § 1231. 533 U.S. at 689. After determining that the Constitution "does not permit indefinite detention," the Court held that a habeas court "should hold continued detention unreasonable" only "if removal is not reasonably foreseeable." *Id.* at 689, 699. After

the end of the presumptively reasonable six-month detention period, a non-citizen must “provide[] good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” *Id.* at 701. If that showing is made, “the Government must respond with evidence sufficient to rebut that showing.” *Id.* This process was sufficient, the Court reasoned, to avoid the “serious constitutional concerns” that “indefinite detention” would raise. *Id.* at 682.

“[T]he Supreme Court . . . had occasion to consider the constitutional implications of indefinite detention under § 1231(a),” and it “offered [courts] a standard through which to judge indefinite-detention cases—the *Zadvydas* standard.” *Martinez v. Larose*, 968 F.3d 555, 566 (6th Cir. 2020); *see Wang v. Ashcroft*, 320 F.3d 130, 146 (2d Cir. 2003) (*Zadvydas* “articulates the outer bounds of the Government’s ability to detain aliens . . . without jeopardizing their due process rights”). Moreover, Petitioner’s due process claim presumes *Zadvydas* has been violated. As discussed above, Petitioner has been detained for less than six-months post removal order, dated November 14, 2024. While Petitioner claims he has been in detention for over eight months because he has been in custody since June 12, 2024, the detention from June 12, 2024 until November 13, 2024 was detention *pending his removal proceedings*, which is separate from *post-removal* detention and the *Zadvydas* analysis. *See Demore v. Kim*, 538 U.S. 510, 527-528 (2003) (explaining the difference between these two types of detention); *Akinwale*, 287 F.3d at f.n. 3 (collecting cases for the proposition that the six-month period “commences at the beginning of the removal period”, *i.e.*, after the removal order is issued and final); *Johnson v. Arteaga-Martinez*, 596 U.S. 573 (2022) (holding that 8 U.S.C. § 1231(a)(6) does not require the government to provide noncitizens detained for six months with bond hearings in which the government bears the burden of proving, by clear and convincing evidence, that a noncitizen

poses a flight risk or a danger to the community). Furthermore, Petitioner has failed to meet his burden under *Zadvydas* in showing there is no significant likelihood of his removal in the reasonably foreseeable future. Thus, this claim of violation of due process under the Fifth Amendment fails.

II. Petitioner's Claim of Violation of the Fourth Amendment as a Basis for Habeas Relief Fails.

Second, Petitioner's allegations of violation of the Fourth Amendment because "an ICE officer arrest[ed] me without issuing a warrant or having probable cause" and allegation that the ICE officer lacked any lawful authority to arrest or detain him also fail. In addition to being factually incorrect, the Court lacks jurisdiction to consider this claim. As outlined above, district courts lack jurisdiction to review decisions to commence proceedings, adjudicate cases, or execute removal orders. *Reno*, 525 U.S. at 482.

Here, Petitioner was arrested by the Florida Highway Patrol for DUI on June 9, 2024, and taken into state police custody. *See* Exhibit A. On June 9, 2024, the United States Department of Homeland Security issued a Warrant for Petitioner's Arrest. *See* Exhibit C. On June 10, 2024, the Department of Homeland Security issued a Notice to Appear to Petitioner. *See* Exhibit D. On June 11, 2024, Petitioner was transferred from the Collier County Sherriff and booked at Krome, and then transferred to Broward Transitional Center on June 12, 2024. *See* Exhibit H. Therefore, Petitioner's assertion that he was arrested without a warrant or without probable cause is false, as demonstrated on the face of the exhibits. Furthermore, district courts lack jurisdiction to review decisions to commence these removal proceedings. Petitioner's proffered grounds for release from detention under the Fourth Amendment fails.

III. Petitioner's Claim of Violation of the Sixth Amendment as a Basis for Habeas Relief Fails.

Petitioner's allegation of violation of the Sixth Amendment due to "ineffective assistance of counsel" during the immigration proceedings further fails for lack of jurisdiction because, not only does the district court not have jurisdiction to review a final order of removal as outlined above, but Petitioner also failed to exhaust this claim of ineffective assistance of counsel before the immigration court by failing to file a motion to reopen his case pursuant to 8 C.F.R. § 1003.23 on this basis. *See Huang v. U.S. Atty. Gen.*, 144 Fed. Appx. 80, 83 (11th Cir. 2005) (holding that, because the petitioner failed to raise his ineffective assistance of counsel claim before the Board of Immigration Appeal ("BIA"), he failed to exhaust his administration remedies, and the Court of Appeals lacked jurisdiction to address this claim) (citing INA § 242(d)(1); 8 U.S.C. § 1252(d)(1); *Al Najjar v. Ashcroft*, 257 F.3d 1262, 1285 n. 14 (11th Cir. 2001) (stating that [the courts of appeals] lack jurisdiction when an alien fails to exhaust all administrative remedies prior to judicial review))); *Castro-Garcia v. U.S. Atty. Gen.*, 154 Fed. Appx. 833, 838-839 (11th Cir. 2005) (holding that the alien failed to exhaust his administrative remedies and therefore the Court of Appeals would not consider his argument regarding ineffective assistance of counsel and noting that 8 U.S.C. § 1252(d)(1) allows a court to review a final order of removal only if the alien has exhausted all of the administrative remedies available to him and therefore the court lacks jurisdiction to review any claims not raised before the BIA). Therefore, the court lacks jurisdiction to consider Petitioner's argument regarding ineffective assistance of counsel in the immigration proceeding regarding his final order of removal.

CONCLUSION

Given the above, the Respondents respectfully submit that the Court lacks jurisdiction to provide Petitioner the requested relief in his Petition. Respondents note that, to the extent

Petitioner is seeking remedies from a torts claim or Bivens claim, these remedies are not recoverable pursuant to Petitioner's habeas claim under 28 U.S.C. § 2241.

For the reasons set forth above, Petitioner's Petition and the relief sought should be denied, and the Petition should be dismissed in its entirety.

[remainder of page left intentionally blank]

EXHIBIT LIST

- Exhibit A: Form I-213, Record of Deportable/Inadmissible Alien ("Form I-213") dated June 10, 2024.
- Exhibit B: Arrest and Court Record
- Exhibit C: Warrant of Arrest dated June 9, 2024
- Exhibit D: Notice to Appear dated June 10, 2024
- Exhibit E: Removal Order dated November 1, 2024
- Exhibit F: Petitioner's Motion for the Final Removal Order, dated November 14, 2024
- Exhibit G: Removal Order dated November 14, 2024
- Exhibit H: Detention History
- Exhibit I: Declaration of Deportation Officer John Mansey
- Exhibit J: Notice of Alien of file Custody Review

Dated: February 26, 2025

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

By: Mary Beth Ricke

MARY BETH RICKE
Assistant U.S. Attorney
Florida Bar No. 107213
Email: Mary.Ricke@usdoj.gov
U.S. Attorney's Office
Southern District of Florida
500 E. Broward Boulevard, Suite 700
Ft. Lauderdale, Florida 33394
Telephone: (954) 660-5749
Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 26, 2025, I electronically filed the foregoing document on CM/ECF, giving notice to all those registered to receive the same. I also certify that the foregoing document is being served on the pro se party identified on the below Service List in the manner specified.

/s/ Mary Beth Ricke
Mary Beth Ricke
Assistant United States Attorney

SERVICE LIST

By mail:

Alexey Samokhin, Pro Se
Broward Transitional Center
Inmate Mail/Parcels
3900 North Powerline Road
Pompano Beach, FL 33073