

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**OLEG KACHALOV**

**Petitioner,**

**v.**

**1:25-cv-78-LM-TSM**

**KRISTI NOEM**, Secretary of the Department of Homeland Security; **PATRICIA H. HYDE**, Acting Field Officer Director of the Immigration and Customs Enforcement, Enforcement and Removal Operations Boston Field Office; **CHRISTOPHER BRACKETT**, Superintendent of the Strafford County Department of Corrections

**Respondents.**

**PETITIONER'S CROSS MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, Petitioner Oleg Kachalov cross moves for summary judgment in favor of Petitioner. The material facts of this case are not in dispute.

Petitioner hereby incorporates by reference the contemporaneously-filed consolidated: (i) memorandum of law in support of this cross motion for summary judgment; (ii) reply in support of his Amended Petition for Writ of Habeas Corpus (Docket Number (DN) 4); and (iii) opposition to Respondents' Motion to Dismiss or, in the Alternative, for Summary Judgment (DN 20).

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Grant Petitioner's cross motion for summary judgment;
- B. Grant Petitioner's Amended Petition for Writ of Habeas Corpus (DN 4);

- C. Deny Respondents' Motion to Dismiss or, in the Alternative, for Summary Judgment (DN 20);
- D. Order an individualized bond hearing before an Immigration Judge at which Respondents must justify Petitioner's detention under clear and convincing evidence for both dangerousness and flight risk prongs; and
- E. Grant any other relief that is just or equitable.

Respectfully submitted this 16th day of May 2025.

Oleg Kachalov,

By and through his Counsel,

*/s/ SangYeob Kim*

Gilles R. Bissonnette (NH Bar: 265393)

SangYeob Kim (NH Bar: 266657)

Chelsea Eddy (NH Bar: 276248)

AMERICAN CIVIL LIBERTIES UNION OF

NEW HAMPSHIRE

18 Low Avenue

Concord, NH 03301

Phone: 603.333.2081

[gilles@aclu-nh.org](mailto:gilles@aclu-nh.org)

[sangyeob@aclu-nh.org](mailto:sangyeob@aclu-nh.org)

[chelsea@aclu-nh.org](mailto:chelsea@aclu-nh.org)