

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

APR 10 2025
JEFFREY P. COLWELL
CLERK

Civil Action No. _____
(To be supplied by the Court)

Andranik Amiryan, aka Andranik Ghazaryan, Applicant,

v.

Pam Bondi, ATTORNEY GENERAL; Kristi Noem, SECRETARY OF HOMELAND
SECURITY; Kelei Walker, U.S. ICE FIELD OFFICE DIRECTOR FOR THE DENVER
CONTRACT DETENTION FACILITY; AND WARDEN OF DENVER
CONTRACT DETENTION FACILITY.

Respondents.

**APPLICATION FOR A WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241**

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

A. APPLICANT INFORMATION

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

Andranik Amiryan, A# [REDACTED]
(Applicant's name, prisoner identification number, and complete mailing address)

Indicate whether you are a prisoner or other confined person as follows: (check one)

- ☐ Pretrial detainee
☐ Civilly committed detainee
☒ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Other: (Please explain) _____

B. RESPONDENT INFORMATION

Pam Bondi, ATTORNEY GENERAL; Kristi Noem, SECRETARY OF HOMELAND
SECURITY; Kelei Walker, U.S. ICE FIELD OFFICE DIRECTOR FOR THE DENVER
CONTRACT DETENTION FACILITY; AND WARDEN OF DENVER
CONTRACT DETENTION FACILITY
1801 California Street Suite 1600 Denver, CO 80202

C. STATEMENT OF CLAIMS

State clearly and concisely every claim you are asserting in this action. For each claim, specify the right that allegedly has been violated and all facts that support your claim. If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "C. STATEMENT OF CLAIMS."

CLAIM ONE: STATUTORY VIOLATION
CLAIM TWO: SUBSTANTIVE DUE PROCESS VIOLATION
CLAIM THREE: PROCEDURAL DUE PROCESS VIOLATION

Supporting facts:

I have cooperated with ICE's efforts to remove me from the United States. In October of 2024, I filled out and submitted the travel document application that my deportation officer had given me while in Colorado. I have been transferred between multiple facilities to process my deportation, traveling from Colorado to Nevada, California, Louisiana, Texas, and back to Louisiana. On February 26, 2025, after being taken for a second time to board a deportation flight, an ICE officer informed me that there are ongoing issues with Armenia, specifically regarding my case. ICE authorities had also informed me that I will be returning to my original facility in Aurora, Colorado. I arrived back to Aurora, Colorado on March 18, 2025. My deportation has not been possible due to circumstances beyond my control. I have followed all

instructions from my deportation officer and have remained compliant throughout my detention. Given that my removal is not likely to occur in the near future, continued detention is unnecessary and unduly burdensome.

D. PRIOR APPLICATIONS

Have you ever filed a lawsuit, other than this lawsuit, in any federal court in which you raised or could have raised the claim(s) raised in this action? ☒ Yes ☐ No (*check one*).

Name and location of court: CENTRAL DISTRICT COURT OF CALIFORNIA

Case number: 2:23-CV-01663-MEMF-SK

Type of proceeding: Civil

List the claim(s) raised: Petition for Writ of Habeas Corpus, First Step Act

Date and result: (Attach a copy of the decision if available) 07/05/2023, DENIED

Result on appeal, if appealed: N/A

E. ADMINISTRATIVE REMEDIES

I received a final order of removal on September 25, 2024. I did not receive my "90-day" custody review. Subsequently, I requested a 90-day review with his local field office and a 180-day review with ICE's Headquarters Post-Order Detention Unit on March 24, 2025. I have not yet received a response to either request.

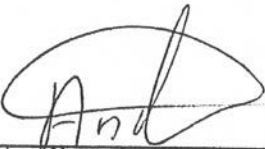
F. REQUEST FOR RELIEF

- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a writ of habeas corpus directing the Respondents to immediately release Petitioner from custody, under reasonably conditions of supervision;
- 3) Order Respondents to refrain from transferring the Petitioner out of the jurisdiction of the ICE Denver Contract Facility Director during the pendency of these proceedings and while the Petitioner remains in Respondent's custody; and
- 4) Grant any other and further relief that this Court deems just and proper.

G. APPLICANT'S SIGNATURE

I declare under penalty of perjury that I am the applicant in this action, that I have read this application, and that the information in this application is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this application: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the application otherwise complies with the requirements of Rule 11.



(Applicant's signature)

04-07-2025

(Date)

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UNITED STATES DISTRICT COURT
DENVER, COLORADO
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CLERK

UNITED STATES DISTRICT COURT OF COLORADO

ANDRANIK AMIRYAN

aka Andranik Ghazaryan,

Petitioner,

v.

Pamela J. Bondi, ATTORNEY GENERAL; Kristi
Noem, SECRETARY OF HOMELAND
SECURITY; Kelei Walker, U.S. ICE FIELD
OFFICE DIRECTOR FOR THE DENVER
CONTRACT DETENTION FACILITY; AND
WARDEN OF DENVER CONTRACT
DETENTION FACILITY,

Respondents.

Civil Action No.

PETITION FOR A WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. §2241, BY A PERSON
SUBJECT TO INDEFINITE IMMIGRATION
DETENTION.

BACKGROUND

Petitioner, Andranik Amiryan, hereby petitions this Court for a writ of habeas corpus to remedy Petitioner's unlawful detention by Respondents, and to enjoin Petitioner's continued unlawful detention by the Respondent. In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

CUSTODY

1. Petitioner is in the physical custody of Respondents and U.S. Immigration and Customs Enforcement (“ICE”). Petitioner is detained at the Denver Contract Detention Facility in Aurora, Colorado. Petitioner is under the direct control of Respondents and their agents.

JURISDICTION

2. This action arises under the Constitution of the United States, 28 U.S.C. §2241 (c)(1), and the Immigration and Nationality (“INA”), 8 U.S.C. §1101 et seq. This Court has subject matter jurisdiction under 28 U.S.C. §2241, Art. I §9, cl. 2 of the United States Constitution (“Suspension Clause”); and 28 U.S.C. §1331, as Petitioner is presently in custody under color of the authority of the United States., and such custody is in violation of the Constitution, laws, or treaties of the United States. *See Zadvydas v. Davis*, 533 U.S. 678, 688 (2001) (“We conclude that §2241 habeas corpus proceedings remain available as a forum for statutory and constitutional challenges to post removal period detention.”); *INS v. St. Cyr*, 533 U.S. 289, 301 (2001) (“at its historical core, the writ of habeas corpus has served as a means of reviewing the legality of executive detention, and it is in that context that its protections have been strongest.”) *Clark v. Martinez*, 543 U.S. 371 (2005) (holding that *Zadvydas* applies to aliens found inadmissible as well as removable).

VENUE

3. Venue lies in the District of Colorado, because Petitioner is currently detained in the territorial jurisdiction of this Court, at the Denver Contract Detention Facility. 28 U.S.C. §1391.

EXHAUSTION OF REMEDIES

4. Petitioner has exhausted his administrative remedies to the extent required by law, and only remedy is by way of this judicial action. After the Supreme Court decision in *Zadvydas*, the Department of Justice issued regulations governing the custody of aliens removed. *See* 8 C.F.R. §241.4. Petitioner received a final order of removal on September 25, 2024. Petitioner did not receive his “90-day” custody review. Subsequently, Petitioner requested a 90-day review with his local field office and a 180-day review with ICE’s Headquarters Post-Order Detention Unit (“HQPDU”) on March 24, 2025. The Petitioner has not yet received a response to either request. The custody review regulations do not provide for appeal from a HQPDU custody review decision. *See* 8 C.F.R. §241.4(d).

5. No statutory exhaustion requirements apply to Petitioner's claim of unlawful detention. On March 6, 2023, Petitioner filed a petition for writ of habeas corpus pro se. The California Central District Court denied Petitioner due to First Step Act time credits not applying to non-citizens who are subject to final order of removal under immigration laws. More than 24 months have passed since Petitioner's pro se habeas petition was filed, and Petitioner is now in the custody of Respondents. He thereby challenges the legality of continued immigration detention under 8 U.S.C. § 1231(a)(6) and *Zadvydas*. Unlike the prior habeas petition, which concerned the application of First Step Act time credits, this petition specifically challenges prolonged detention post-final order of removal on the grounds that removal is not significantly likely in the reasonably foreseeable future.

PARTIES

6. Petitioner is a native and citizen of Armenia. Petitioner was first taken into ICE custody on October 6, 2023, and has remained in ICE custody continuously since that date. Petitioner was ordered removed by an Immigration Judge on May 14, 2024. Subsequently, the BIA dismissed Petitioner's appeal on September 25, 2024. Petitioner is currently detained at Denver Contract Facility and has been continuously detained by ICE over 17 months.

7. Respondent Pamela J. Bondi is the Attorney General of the United States and is responsible for the administration of ICE and the implementation and enforcement of the Immigration and Naturalization Act (INA). As such, Ms. Bondi has ultimate custodial authority over Petitioner.

8. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the administration of ICE and the implementation and enforcement of the INA. As such Ms. Noem is the legal custodian of Petitioner.

9. Respondent Kelei Walker is the ICE Field Office Director of the Denver Field Office of ICE and is Petitioner's immediate custodian. *See Vásquez v. Reno*, 233F.3d 688,690 (1st Cir. 2000), *cert. denied*, 122 S. Ct. 43 (2001).

10. Respondent Warden of Denver Contract Detention Facility, where Petitioner is currently detained under the authority of ICE, alternatively may be considered to be Petitioner's immediate custodian.

STATEMENT OF THE FACTS

11. Petitioner, Andranik Amiryan, was born in Armenia on July 24, 1979. He last

entered the United States in May 2012 after having been deported previously. He and his wife, who has asylee status, have three United States citizen children. His parents and two siblings are also United States citizens. They all reside together in Sunland, California.

12. Mr. Amiryan first entered the United States in August 1997 as a Green Card Holder. On November 26, 2007, the government served a Notice to Appear on Mr. Amiryan, alleging that as a result of his conviction for violation of California Penal Code ("PC") §487(a), Grant Theft, he was removable pursuant to §§ 237(a)(2)(A)(iii) of the INA. He was ordered deported on February 25, 2008.

13. In November 2009, Mr. Amiryan re-entered the United States without authorization. After being convicted of illegal reentry after having been deported, and serving a 14-month sentence, Mr. Amiryan was deported to Armenia in January 2011.

14. He fled Armenia in March 2012 to escape persecution and again entered the United States on May 7, 2012. In March 2017, Mr. Amiryan had a reasonable fear interview ("RFI") at which he was found to be credible, but not to have a reasonable fear of future persecution or torture.

15. While his immigration case proceeded, on September 23, 2021, Mr. Amiryan was convicted of Conspiracy to Commit Bank Fraud in violation of 18 U.S.C. §1349 and sentenced to 41 months in federal prison. Both the Government and Defense Counsel agreed that Mr. Amiryan was truthful and appeared genuinely willing to provide what information he knew. He engaged with federal law enforcement officials on multiple occasions and made every effort to assist the U.S. government by providing relevant information to aid their investigations.

16. ICE picked up Mr. Amiryan on October 6, 2023, after he finished his federal sentence and transported him to Denver Contract Detention Facility to await his deportation. Since that time, Petitioner has been continuously detained by ICE for over 17 months.

17. Mr. Amiryan filed a Motion to Reopen, which the Immigration Court denied. He had another reasonable fear interview on November 1, 2023, at which he was found to have a reasonable fear of future persecution if forced to return to Armenia and he was placed into a withholding-only hearing. Mr. Amiryan filed a Form I-589 and a new declaration.

18. On April 4, 2024, ICE had reviewed custody status and determined that Mr. Amiryan will not be released from custody based on his claim of fear of returning to Armenia. ICE was

unable to move forward with Mr. Amiryan's removal from the United States at that time pending a ruling on his claim (see Exhibit A).

19. By Order dated May 13, 2024, the Immigration Judge found Mr. Amiryan and his witnesses credible, but denied Mr. Amiryan's application for withholding of removal, as well as for protection under the Convention against Torture ("CAT"). The Board of Immigration Appeals ("BIA") dismissed his appeal on September 25, 2024. Therefore, on September 25, 2024, the deportation order was final.

20. Petitioner then filed a timely Petition for Review ("PFR") with the United States Court of Appeals for the Tenth Circuit. However, because the Court denied Petitioner's emergency request for a stay of removal, the pendency does not impact the running of removal period under 8 U.S.C. §1231(a)(1)(B)(i). Accordingly, the removal period commenced on the date the order of removal became final – September 25, 2024 – and has now extended beyond the presumptively reasonable six-month period established in *Zadvydas*.

21. To Petitioner's knowledge, the government of Armenia has not issued travel documents for him. Indeed, neither ICE nor Armenia have provided any indication that Armenia would accept Petitioner in the reasonably foreseeable future.

22. On February 17, 2025, Petitioner was picked up from Denver Contract Detention Facility by ICE officials to process a deportation flight. He had been transferred between multiple facilities, traveling from Colorado to Nevada, California, Louisiana, Texas, and back to Louisiana.

23. On February 26, 2025, after being taken for a second time to board a deportation flight in Louisiana, an ICE officer informed Mr. Amiryan that there are ongoing issues with Armenia, specifically regarding his case. The ICE Officer also informed him that he will be returning back to his original facility in Colorado. Mr. Amiryan arrived back to Colorado on March 18, 2025.

24. Petitioner has cooperated fully with all efforts by ICE to remove Petitioner from the United States. Petitioner signed and submitted a travel document application to his Deportation Officer in October of 2024, shortly after his BIA dismissal.

LEGAL FRAMEWORK FOR RELIEF SOUGHT

25. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the U.S. Supreme Court held that 8

U.S.C. §1231(a)(6), when “read in light of the Constitution’s demands, limits an alien’s post removal period detention to a period reasonably necessary to bring about that alien’s removal from the United States.” 533 U.S. at 689. A “habeas court must [first] ask whether the detention in question exceeds a period reasonably necessary to secure removal.” *Id.* at 699. If the individual’s removal “is not reasonably foreseeable, the court should hold continued detention unreasonable and no longer authorized by the statute.” *Id.* at 699–700.

26. In determining the length of a reasonable removal period, the Court adopted a “presumptively reasonable period of detention” of six months. *Id.* at 701. After six months, the government bears the burden of disproving an alien’s “good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” *See Zhou v. Farquharson*, 2001 U.S. Dist. LEXIS 18239, *2–*3 (D. Mass. Oct. 19, 2001) (quoting and summarizing *Zadvydas*). Moreover, “for detention to remain reasonable, as the period of prior post removal confinement grows, what counts as the ‘reasonably foreseeable future’ conversely would have to shrink.” *Zadvydas*, 533 U.S. at 701. ICE’s administrative regulations also recognize that the HQPDU has a six month period for determining whether there is a significant likelihood of an alien’s removal in the reasonably foreseeable future. See 8 C.F.R. §241.4 (k)(2)(ii).

27. Evidence showing successful repatriation of other persons to the country at issue is not sufficient to meet the government’s burden to establish that an alien petitioner will be deported in the reasonably foreseeable future. *See Thompson v. INS*, 2002 U.S. Dist. LEXIS 23936 (E.D. La. September 16, 2002) (government failed to show that alien’s deportation to Guyana was reasonably foreseeable where the government offered historical statistics of repatriation to Guyana, but failed to show any response from Guyana on the application for travel documents that INS and the petitioner had requested). Rather for the government to meet its burden of showing that an alien’s repatriation is reasonably foreseeable, it must provide some meaningful evidence particular to the individual petitioner’s case.

28. An alien who has been detained beyond the presumptive six months should be released where the government is unable to present documented confirmation that the foreign government at issue will agree to accept the particular individual in question. *See Agbada v. John Ashcroft*, 2002 U.S. Dist. LEXIS 15797 (D. Mass. August 22, 2002) (court “will likely grant” habeas petition after fourteen months if ICE is “unable to present document confirmation tha the Nigerian government has agreed to [petitioner’s] repatriation”); *Zhou*, 2001 U.S. Dist. LEXIS

19050 at *7 (W.D. Wash. February 28, 2002) (government's failure to offer specific information regarding how or when it expected to obtain the necessary documentation or cooperation from the foreign government indicated that there was no significant likelihood of petitioner's removal in the reasonably foreseeable future).

CLAIMS FOR RELIEF

COUNT ONE

STATUTORY VIOLATION

29. Petitioner re-alleges and incorporates by reference paragraphs 1 through 28 above.

30. Petitioner's continued detention by Respondents is unlawful and contravenes 8 U.S.C. §1231(a)(6) as interpreted by the U.S. Supreme Court in *Zadvydas*. The six-month presumptively reasonable period for continued removal efforts has expired. Petitioner still has not been removed, and for the reasons outlined above in paragraphs 1 through 23, Petitioner's removal to Armenia is not reasonably foreseeable. The Supreme Court held in *Zadvydas* and *Martinez* that ICE's continued detention of someone after six months where deportation is not reasonably foreseeable is unreasonable and in violation of 8 U.S.C. §1231(a). 533 U.S. at 701.

COUNT TWO

SUBSTANTIVE DUE PROCESS VIOLATION

31. Petitioner re-alleges and incorporates by reference paragraphs 1 through 30 above.

32. Petitioner's continued detention violates Petitioner's right to substantive due process through a deprivation of the core liberty interest in freedom from bodily restraint. *See e.g., Tam v. INS*, 14 F.Supp.2d 1184 (E.D. Cal 1998) (aliens retain substantive due process rights).

33. The Due Process Clause of the Fifth Amendment requires that the deprivation of Petitioner's liberty be narrowly tailored to serve a compelling government interest. While Respondents would have an interest in detaining Petitioner in order to effectuate removal, that interest does not justify the indefinite detention of Petitioner, who is not significantly likely to be removed in the reasonably foreseeable future. The U.S. Supreme Court in *Zadvydas* thus interpreted 8 U.S.C. §1231(a) to allow continued detention only for a period reasonably necessary to secure the alien's removal, because any other reading would go beyond the government's articulated interest – to effect the alien's removal. *See Kay v. Reno*, 94 F.Supp.2d.

546, 551 (M.D. Pa. 2000) (granting writ of habeas corpus, because petitioner's substantive due process rights were violated, and noting that "If deportation can never occur, the government's primary legitimate purpose in detention – executing removal – is nonsensical.")

COUNT THREE

PROCEDURAL DUE PROCESS VIOLATION

34. Petitioner re alleges and incorporates by reference paragraphs 1 through 33 above.

35. Under the Due Process Clause of the Fifth Amendment, an alien is entitled to a timely and meaningful opportunity to demonstrate that s/he should not be detained. Petitioner in this case has been denied that opportunity. ICE does not make decisions concerning aliens' custody status in a neutral and impartial manner. The failure of Respondents to provide a neutral decision maker to review the continued custody of Petitioner violates Petitioner's right to procedural due process. Further, Respondents have failed to acknowledge or act upon the Petitioner's administrative request for release in a timely manner. There is no administrative mechanism in place for the Petitioner to demand a decision, ensure that a decision will ever be made, or appeal a custody decision that violates *Zadvydas*.

EXHIBITS ATTACHED

Exhibit A – Copy of Petitioner's Continued Detention Decision dated April 4, 2024

Exhibit B – Written request for 90-day custody review sent to ICE Denver Field Office and ICE Deportation Officer on March 24, 2025

Exhibit C – Email written to Deportation Officer by Petitioner's daughter on behalf of Petitioner

Exhibit D – Written request for 180-day custody review sent to HQPDU on March 24, 2025

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a writ of habeas corpus directing the Respondents to immediately release Petitioner from custody, under reasonable conditions of supervision;
- 3) Order Respondents to refrain from transferring the Petitioner out of the jurisdiction of the ICE Denver Contract Detention Facility Director during the pendency of these proceedings and while the Petitioner remains in Respondent's custody; and
- 4) Grant any other and further relief that this Court deems just and proper.

I affirm, under penalty of perjury, that the foregoing is true and correct. Respectfully
submitted this seventh of April 2025.

A handwritten signature in black ink, appearing to read 'Andranik', written in a cursive style.

Andranik Amiryan. *Pro Se*

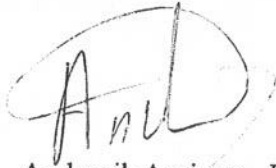


CERTIFICATE OF SERVICE

I, Andranik Amiryan, certify that a true copy of the above document (Petition for Writ of Habeas Corpus) together with the attached documents labeled as Exhibits A through D, was served on April 7th, 2025, upon the following:

U.S. Attorney's Office
1801 California Street
Suite 1600
Denver, CO 80202

by placing a copy of the above in the mail system at the facility where I am detained.

A handwritten signature in black ink, appearing to read 'Andranik Amiryan', enclosed within a large, loopy circular flourish.

Andranik Amiryan, *Pro Se*

EXHIBIT A

Office of Enforcement and Removal Operations

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



**U.S. Immigration
and Customs
Enforcement**

AMIRYAN, Andranik
C/O Immigration and Customs Enforcement
Denver Field Office



Decision to Continue Detention

This letter is to inform you that the U.S. Immigration and Customs Enforcement (ICE) has reviewed your custody status and determined that you will not be released from custody at this time. This decision was based on a review of your file record and/or personal interview and consideration of any information you submitted to ICE reviewing officials and upon review of the factors for consideration set forth at 8 C.F.R. § 241.4(e), (f), and (g).

You are a native of Armenia and a citizen of Armenia. You have previously been removed from the United States subsequent to a removal order issued by an Immigration Official. Your removal order was reinstated, and you claimed fear of returning to Armenia. Your case is currently under review.

Due to your claim of fear of returning to Armenia, ICE is unable to move forward with your removal from the United States at this time. Pending a ruling on your claim, you are to remain in ICE custody as ICE is unable to conclude that the factors set forth at 8 C.F.R. § 241.4(e) have been satisfied. This decision, however, does not preclude you from bringing forth evidence in the future to demonstrate a good reason why your removal is unlikely.

You are advised that pursuant to Section 241(a)(1)(C) of the Immigration and Nationality Act (INA) you must demonstrate that you are making reasonable efforts to comply with the order of removal, and that you are cooperating with ICE efforts to remove you by taking whatever actions ICE requests to affect your removal.

You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 USC § 1253(a).

Noah Adams
HQ RIO Chief

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ADAMS
Date: 2024.04.04 19:45:21
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4/4/2024

Date

Decision to Continue Detention
AMIRYAN, Andranik
Page 2

A



PROOF OF SERVICE

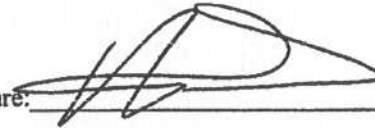
(1) Personal Service (Officer to complete both (a) and (b) below.)

(a) I R. Saucedo, Jr., Deportation Officer,
Name of ICE Officer Title
certify that I served Amiryan, Andranik with a copy of
Name of detainee
this document at Denver Contract Detention Facility on 04/08/2024, at 8:00 AM.
Institution Date Time

(b) I certify that I served the custodian R. Saucedo, Jr.,
Name of Official
Deportation Officer, at Denver Contract Detention Facility, on
Title Institution
04/08/2024 with a copy of this document.
Date

OR**(2) Service by certified mail, return receipt. (Attach copy of receipt)**

I _____, _____, certify
Name of ICE Officer Title
that I served _____ and the custodian _____,
Name of detainee Name of Official
with a copy of this document by certified mail at _____ on _____.
Institution Date

Detainee Signature: Date: 04/08/2024

- () cc: Attorney of Record or Designated Representative
() cc: A-File

HQ POCK Checklist for 241.13 Reviews

To be completed by HQ for all cases referred to RIO

To be completed by Analyst:

Alien Name: AMIRYAN, Andranik Alien Number:  COC: Armenia

RIO Officer: Mackie Date Received 04/02/2024 Date Assigned 04/03/2024
in Mailbox: 04/02/2024 to Officer: 04/03/2024

To be completed by Officer:

☒ Yes ☐ No Is the case Post 180 Days?

☒ Yes ☐ No Is the Jurisdiction with HQ RIO? If not, why: _____

☐ Yes ☒ No Judicial stay in effect? If yes, when entered: _____

☐ Yes ☒ No Habeas Pending? _____

☐ Yes ☒ No Medical/Psychological Issues? If yes, date to referred IHSC: _____
☐ Yes For Evaluation ☐ Yes For Placement (check one)

☐ Yes ☒ No National Security/Special Interest Case? _____

☐ Yes ☒ No TD Requested? If yes, list all countries where TD request was made (for Mariel Cuban's check list): Fear claim pending resolution.

☐ Yes ☒ No Requested assistance from the Department of State? Date: _____

HQ RIO Officer Recommendation: ☒ SLRRFF ☐ NOT SLRRFF

HQ RIO Officer Analysis & Comments: Reinstated Order. Repatriation is expected upon adjudication of the Reasonable Fear case. SLRRFF. RIO recommends continued detention.

Officer Signature: A. Mackie Date: 2024.04.04
A. Mackie 18:04:05 -04'00' Date: 4/4/2024

HQ RIO Chief Final Decision: Detain Initials NA Date 4/4/2024

HQ RIO Chief Analysis & Comments: Removal is expected pending fear claim.

EXHIBIT B

Andranik Amiryan; aka Andranik Ghazaryan

At [REDACTED]

Aurora ICE Processing Center
3130 Oakland St.
Aurora, CO 80010

Attn: Deportation Officer Ketels

March 24, 2025

Dear Deportation Officer:

I request that ICE review my custody status while taking the following information into consideration, because I believe I qualify for release under an order of supervision. I have been in detention for more than 90 days after my removal order became final on September 25, 2024, and it is unlikely that I will be deported to Armenia in the reasonably foreseeable future. I am not a danger to public safety, and nor am I a flight risk.

I first entered the United States in August 1997 as a Green Card holder and have since established strong ties to this country. After my deportation, I fled Armenia because of the horrors I had underwent at the hands of oligarchs and political appointees. Judge Judy Archuleta in Aurora, CO found my witnesses and I credible, but denied my application for withholding of removal, as well as protection under the Convention against Torture. The Board dismissed the appeal on September 25, 2024. I have since then, filed a Petition for Review before the Tenth Circuit Court of Appeals and a Motion to Reopen with the BIA based on new evidence in Armenia. The Motion to Reopen was denied, however my Tenth Circuit Court of Appeals case is still pending. I also plan to file a petition for review of the BIA's decision denying my motion to reopen, after consulting with my attorney.

I was in Aurora ICE Processing Center until February 17, 2025. Despite attempts to deport me, Armenia has not accepted my removal. The ICE authorities that have transported me have cited ongoing issues with Armenia, making my deportation unlikely in the foreseeable future.

I am not a danger to public safety. I have no history of violent offenses, and I have demonstrated a commitment to rehabilitation and positive contributions to my community. I deeply regret any past mistakes, and I have taken significant steps to better myself while in detention. Following my arrest in 2020, I engaged with federal law enforcement officials on multiple occasions and made every effort to assist the U.S. government by providing relevant information to aid their investigations. I want to make it clear to you, the government, and my loved ones that I have no intention of engaging in any unlawful activity. I am fully committed to abiding by all laws and regulations and conducting myself with integrity and accountability. My focus is on moving forward in a lawful and responsible manner alongside my beautiful family.

I am not a significant flight risk. Upon my release, I will reside at [REDACTED]

[REDACTED] with my parents, my wife, and my three children. My focus will be on my

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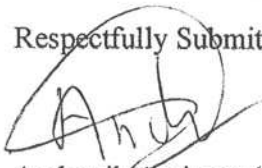
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- Job Offer Letter from Arthur Vardumyan, General Supervisor of Multicolor Apparel Inc.

Thank you for your time and consideration of my request.

Respectfully Submitted,



Andranik Amiryan (Ghazaryan)

A 

Chaplain Rafi Ohanes Garabedian
Los Angeles County Senior Chaplain
Western Prelacy of the Armenian Apostolic Church of America
JAIL MINISTRY DIVISION
6252 Honolulu Avenue, La Crescenta, CA 91214 | M. 818-415-3550



March 8, 2025

REGARDING: Mr. Andranik Amiryan Booking # [REDACTED]

Dear Immigration Officer:

I am a Volunteer Senior Chaplain with the Los Angeles County Sheriff's Department and have been serving since 1994 in Los Angeles County Jails, various California prisons, as well as rehabilitation centers. This letter is to serve as a testament to my experience with Mr. Andranik Amiryan along with his family.

I have known Mr. Amiryan's family for some time now and know that they are active and productive members of society. His oldest daughter is currently attending law school and his wife also works at a respectable corporate environment. During these past 5-years of incarceration, Mr. Amiryan, I'm certain has learned his lesson and is remorseful for any past transgressions. I have personally prayed with Mr. Amiryan and have felt his true remorse and spiritual awakening.

If released into the community, I can continue to monitor Mr. Amiryan with confidence that he will stay on a righteous path as he tries to increase his walk with the Lord and strengthen his spirituality. I am respectfully asking your Honor to view this case with sympathy and compassion. Thank you in advance for your consideration.

Respectfully,

Rafi Ohanes Garabedian
Senior Chaplain

Los Angeles County
Sheriff's Department

RAFI K. OHANES
SENIOR CHAPLAIN

Religious And Volunteer Services
450 Bauchet St.
Los Angeles, CA 90012
CELL (818) 415-3550
rafiophanes@yahoo.com

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To Whom It May Concern,

My name is Raffi Amiryan, and I am the son of Andranik Amiryan (Ghazaryan). I am 20 years old and a natural-born U.S. citizen. I understand there may be concerns about potential bias in this letter given that I am his son. However, I wish to assure you and affirm, that every statement I make in this letter is truthful and holds the utmost integrity.

These past couple of years without him have proved two things. I can and I cannot live without him. I can work two jobs at 16 and help my mother pay the bills. I can graduate high school. I can be the man of the household. I can get an auto appraisal license. I can get my driver's license. I can open a respectable home health care business at the age of 19, and I can make my siblings and my mother smile. I cannot imagine and endure the struggles and hardships we've endured without his guidance and presence. I cannot replace the fatherly presence I needed during pivotal moments in my adolescence as well as my 11-year-old brother's. I cannot erase the void left during family celebrations and milestones. I cannot lose him. Despite my ability to adapt and take on responsibilities, there remains an irreplaceable part of our family dynamic that only he can fulfill. As his son and a U.S. citizen on foreign soil, I had a taste of what would await him if he were to be deported, and it is not a scenario I'm eager to explore.

I've learned resilience and self-reliance, but I've also realized the profound impact a father has on a family. While I've managed to accomplish certain achievements, his absence is a constant reminder of the invaluable role he plays in our lives. Now, I anticipate you may come across other letters stating that my father is unique or distinct. He is and more. I cannot possibly explain in words how much of a good person he is. He won't hurt a fly, and he surely won't leave us again. Not only do I believe I have grown a lot these past 4 and a half years but so has he. He has grown with wisdom in all aspects of life. He has demonstrated a strong sense of responsibility, dedication, and love for his family. He has also taken active steps towards rehabilitation during his time in custody.

I understand that your decisions are guided by a commitment to justice, fairness, and the safety of our society. I kindly request that you consider the circumstances of my father's case with compassion. I believe that, given the opportunity, he will abide by the law and do good with his family by his side. Thank you for taking the time to read my letter.

Sincerely,
Raffi Amiryan

RA



To whom it may concern,

My name is Georgina Kregorian. I am a close friend and classmate to Christina Bella Amiryan, Andranik Amiryan's daughter. We spend about forty hours a week together and it is very vital for me to express and share the profound impact that the absence of Ms. Amiryan's father has had on their life.

I have had the pleasure of knowing Ms. Amiryan and her family and during this time, I have witnessed the close bond and genuine friendship they share with their father. Throughout our law school journey, Mr. Amiryan has been a great emotional support to not only his daughter, but to her classmates as well. Despite the physical distance that separates them, the emotional connection between the two of them is evident in every conversation, and every shared moment over phone calls and video calls.

When Ms. Amiryan struggles or is ever in a place where she is in a mentally difficult place it is clear that her father plays a significant role in her life, by bringing immense happiness and a sense of security that transcends the physical miles. As Christina's close friend I can confirm that the two have a very special bond that spreads joy to everyone around them. Our classmates and friends all sense the toll of Christina's father's absence and the resilience they exhibit in the face of this challenge is truly commendable, but it is undeniably clear that having Mr. Amiryan physically present would alleviate a significant burden on Ms. Amiryan and her family as he brings happiness and fulfillment into their lives. Furthermore, from conversations I have overheard between the two during our extraneous study sessions, it is clear that Mr. Amiryan is a very loving father and devoted family man. His love for my dear friend and the entire family is palpable even through virtual means.

It is my sincere hope that you consider this letter as a testament to the importance of family unity and the profound impact that a father's presence has on Christina's and her siblings' life.

Sincerely,



Georgina A. Kregorian
georgina.kregorian@lls.edu
Loyola Law School JD Candidate '26



To Whom It May Concern,

My name is Vartan Bambalyan. I am a natural-born U.S. citizen and an owner of a reputable automobile business. I am writing in regard to Andranik Amiryan. I understand the complexities involved in immigration matters, and I appreciate the importance of due process. As a devoted and proud U.S. citizen, I recognize the significance of preserving our nation's principles and safety. Nevertheless, the circumstances surrounding Mr. Amiryan set this situation apart.

I would like to bring to your attention the profound impact Andranik Amiryan has on his family, particularly his daughter Christina Amiryan, whom I have the privilege of being engaged to. As someone who has witnessed the hardships that his absence has imposed on his family, I am writing to express my sincere hope for his release. Through our conversations, Mr. Amiryan has consistently demonstrated a commitment to the well-being of his family. The separation has left a noticeable void in the lives of his loved ones. I firmly believe that Mr. Amiryan poses no threat to the community and is committed to abiding by the law. I may have placed a ring on his daughter's finger without him by our side, but I won't stand by the altar without him.

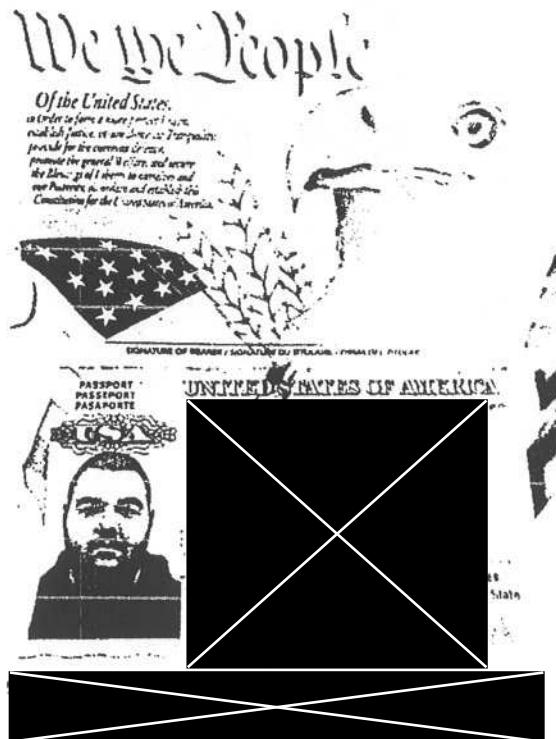
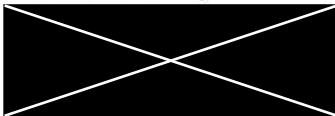
I am eagerly awaiting the day when he can return home and contribute positively to the lives of his family and community. I kindly request your consideration of his case for release, taking into account his efforts towards rehabilitation and the impact of his absence on the unity of his family.

Thank you for your time and understanding. I am hopeful that, with wise consideration, Mr. Amiryan can soon be reunited with his family.

Sincerely,

Vartan B

Vartan Bambalyan



Greetings,

I am writing on behalf of Andranik Amiryan to highlight what a remarkable man, husband, son, friend, brother, uncle, and father he is. My name is Zhilbert Babakhanyan, and I am also sharing my sentiments on behalf of my wife, Helen Sahakyan, with whom I've been married with for 21 years. We have three children and have known the Amiryan family, including their children, for a significant period.

Through my wife, I had the pleasure of meeting their family, and Andranik became an integral part of our lives. I want to emphasize that Andranik is an exceptionally caring, kind, and compassionate individual. He prioritizes the well-being of his three children and goes above and beyond to ensure their happiness and health. Over the years, our families have shared numerous trips, allowing us to develop a deep understanding of each other. Witnessing firsthand how much Andranik cherishes his family and diligently works to maintain their happiness has left a lasting impression on us.

On a personal note, having grown up without a father myself, I can empathize with the profound impact it has on one's life. It saddens me to see the Amiryan family enduring a similar struggle, missing their son, husband, and father. It is also disheartening for me to acknowledge that Andranik witnesses his father's health struggles through a phone screen. Their ongoing suffering serves as a poignant reminder of the importance of family unity and the void created by the absence of a loved one.

Due to his character and rehabilitative actions, I am prepared to offer my property as a guarantee that he will not evade legal obligations and will adhere to the law. I solemnly pledge to the U.S. government that I will exert every effort to ensure he remains on the right path and fulfills his commitments, including attending all required hearings.

Sincerely,



Zhilbert Babakhanyan
(818)640-4623



Multicolor Apparel Inc.
2898 E 54th St.
Vernon, CA 90058
multicolorapparel@yahoo.com | (323) 585-8883

March 17, 2025

To Whom It May Concern,

I am writing to confirm that Andranik Amiryan has been offered a position as a Production Manager's Assistant at Multicolor Apparel Inc. This offer is contingent upon their authorization to work in the United States.

In this role, Mr. Amiryan will be responsible for managing the flow of fabrics and materials throughout the production process, assisting in quality control by inspecting products for defects, and ensuring efficiency by transporting materials between production stations as needed. This position is essential to maintaining smooth operations within our facility, and we look forward to welcoming Mr. Amiryan to our team.

We are confident in his ability to contribute positively to our production process and uphold the standards of our company. Should you require any further information, please do not hesitate to contact me at multicolorapparel@yahoo.com, (323) 585-8883, or my cell (818) 653-9595.

Sincerely,

A handwritten signature in black ink, appearing to be 'AV' or similar, written in a cursive style.

Arthur Vardumyan
General Supervisor
Multicolor Apparel Inc.

EXHIBIT C

Custody Review Request - Andranik Amiryan, A 046-307-868



✉ Amiryan, Christina <Christina.Amiryan@lls.edu>

Tuesday, March 25, 2025 at 11:42 AM

To: Micheal.D.Ketels@ice.dhs.gov

Andranik Amiryan P...
1.3 MB[Download](#) • [Preview](#)

Dear Officer Ketels,

I hope this message finds you well. I am writing on behalf of my father, Andranik Amiryan /  Attached to this email, please find a formal written request for custody review pursuant to his post-final order detention, as over 90 and 180 days have passed since the issuance of his final removal order.

Please let me know if any further information or documentation is needed. Thank you for your time and consideration to this matter.

EXHIBIT D

Andranik Amiryan; aka Andranik Ghazaryan
A# 
Aurora ICE Processing Center
3130 Oakland St.
Aurora, CO 80010

March 24, 2025

Headquarters Post-Order Detention Unit
U.S. Department of Homeland Security
Immigration and Customs Enforcement
801 I Street, N.W., Suite 900
Washington, D.C. 20536

I request that ICE review my custody status while taking the following information into consideration, because I believe I qualify for release under an order of supervision under the *Zadvydas* standard. I have been in detention for more than 180 days after my removal order became final, and it is unlikely that I will be deported to Armenia in the reasonably foreseeable future. I am not a danger to public safety, and nor am I a flight risk.

I first entered the United States in August 1997 as a Green Card holder and have since established strong ties to this country. After my deportation, I fled Armenia because of the horrors I had underwent at the hands of oligarchs and political appointees. Judge Judy Archuleta in Aurora, CO found my witnesses and I credible, but denied my application for withholding of removal, as well as protection under the Convention against Torture. The Board dismissed the appeal on September 25, 2024. I have since then, filed a Petition for Review before the Tenth Circuit Court of Appeals and a Motion to Reopen with the BIA based on new evidence in Armenia. The Motion to Reopen was denied, however my Tenth Circuit Court of Appeals case is still pending. I also plan to file a petition for review of the BIA's decision denying my motion to reopen, after consulting with my attorney.

I was in Aurora ICE Processing Center until February 17, 2025. Despite attempts to deport me, Armenia has not accepted my removal. The ICE authorities that have transported me have cited ongoing issues with Armenia, making my deportation unlikely in the foreseeable future.

I am not a danger to public safety. I have no history of violent offenses, and I have demonstrated a commitment to rehabilitation and positive contributions to my community. I deeply regret any past mistakes, and I have taken significant steps to better myself while in detention. Following my arrest in 2020, I engaged with federal law enforcement officials on multiple occasions and made every effort to assist the U.S. government by providing relevant information to aid their investigations. I want to make it clear to you, the government, and my loved ones that I have no intention of engaging in any unlawful activity. I am fully committed to abiding by all laws and regulations and conducting myself with integrity and accountability. My focus is on moving forward in a lawful and responsible manner alongside my beautiful family.

I am not a significant flight risk. Upon my release, I will reside at [REDACTED] with my parents, my wife, and my three children. My focus will be on my family for whom I miss dearly. I plan on working and providing for my family, ensuring that I am a productive member of society. I have secured a job as a Productions Manager's Assistant at Multicolor Apparel Inc., which I will begin as soon as I am authorized to work upon my release. My duties will include managing fabric flow in production, ensuring quality control by inspecting products for defects, and physically transporting materials between stations to maintain workflow efficiency. I am fully prepared to comply with any restrictions or conditions placed on me as part of my release, including regular check-ins and reporting requirements.

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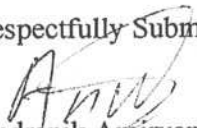
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Respectfully Submitted,

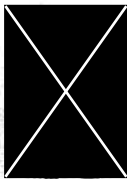

Andranik Amiryan (Ghazaryan)

A# [REDACTED]

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