

ISHAN WAHI (A )

Petitioner,

-against-

YOLANDA PITTMAN, Warden of Elizabeth
Contract Detention Facility; JOHN
TSOUKARIS, Newark Field Office Director,
United States Immigration & Customs
Enforcement; UNITED STATES IMMIGRATION
CUSTOMS ENFORCEMENT,

-Respondents.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil Action No. 25

VERIFIED PETITION FOR WRIT OF
HABEAS CORPUS

Petitioner Ishan Wahi by his undersigned attorney alleges as follows:

1. This is a petition for writ of habeas corpus challenging the prolonged detention of a foreign national in removal proceedings without an individualized bond hearing despite the fact that he is married to a United States citizen, has relief from removal, and is neither a danger to the community nor a flight risk. The action arises under the Constitution, the Immigration & Nationality Act of 1952, as amended (the “Act”), 8 U.S.C. §§ 1101 et seq. and the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 551 et seq. Subject matter jurisdiction is based upon 28 U.S.C. § 1331, 28 U.S.C. § 1350, and 28 U.S.C. § 2241. This Court may grant relief pursuant to the APA, the Declaratory Judgment Act, 28 U.S.C. §§ 2201 et seq., and 28 U.S.C. §§ 2241 et seq.

2. Petitioner Ishan Wahi has been incarcerated at the Elizabeth Contract Detention Facility (“ECDF”) since September 27, 2024 and is in removal proceedings before the Elizabeth Immigration Court (Armstrong, J.), where he has an individual hearing scheduled for July 18, 2025 on his application to adjust status under 8 U.S.C. §1255 with a waiver under 8 U.S.C.

§1182(h) as a defense to removal as shown by Exhibit A. He is a native and citizen of India, where he was born on  1990, and was last admitted to the United States as an F-1 non-immigrant student on January 17, 2022. Mr. Wahi is also the beneficiary of an approved I-130 visa petition, a copy of which is attached as Exhibit B, filed by his United States citizen spouse Bianca Habib, which approved petition is required in order to adjust status under 8 U.S.C. §1255 with a waiver under 8 U.S.C. §1182(h). See, e.g., Hashmi v. Attorney General, 531 F.3d 256 (3d Cir. 2008); Hanif v. Attorney General, 694 F.3d 479 (3d Cir. 2013).

3. Respondent Yolanda Pittman is sued in her official capacity as the Warden of the ECDF, is the immediate custodian of the Petitioner, and is found within the District of New Jersey.

4. Respondent John Tsoukaris is sued in his official capacity as the Field Office Director for Enforcement and Removal Operations in the Newark Field Office of United States Immigration & Customs Enforcement. In that capacity, he has jurisdiction over the ECDF, is authorized to release the Petitioner, serves as a legal custodian of the Petitioner and is found in the District of New Jersey.

5. Respondent United States Immigration & Customs Enforcement (“ICE”) is made a party respondent for purposes of obtaining declaratory and injunctive relief pursuant to the APA and the Declaratory Judgment Act. ICE exercises power and authority over aliens in removal proceedings on a nationwide basis, routinely confines detained aliens in the ECDF, is a legal custodian of the Petitioner and does and transacts business within the District of New Jersey.

6. Mr. Wahi holds a Bachelor of Science degree from the University of Texas at Austin in computer science and a Master of Business Administration from Carnegie Mellon

who was born in Houston, Texas on  1990. A copy of her letter in support of Mr. Wahi's earlier request for prosecutorial discretion in his removal proceedings is attached as Exhibit D and representative photographs of her and Mr. Wahi prior to their marriage are attached as Exhibit E. A practicing attorney in Texas, Ms. Habib attests to Mr. Wahi's commitment to her, his many acts of kindness, and his support for her through difficult times and decisions.

7. In the only criminal matter in his entire life, Mr. Wahi entered a guilty plea on February 7, 2023 in the United States District Court for the Southern District of New York of New York to two counts of conspiracy to commit wire fraud under 18 U.S.C. §1349 involving insider trading in the crypto industry and on May 9, 2023 was sentenced to two years imprisonment, to be followed by two years supervised release. A copy of the judgment of conviction is attached as Exhibit F. At sentencing, the District Court took cognizance of Mr. Wahi's "good heart as evidenced by the numerous letters submitted on his behalf," and his having left a very well paying job in the United States to pursue his educational efforts in India. Sentencing Transcript ("Tr."), attached as Exhibit G at 28. Furthermore, the District Court found that "I take counsel's point that specific deterrence is not really an issue here, and I certainly believe Mr. Wahi, that he will stay on the straight and narrow the rest of his life." Tr. at 28. Indeed, at sentencing Mr. Wahi had accepted responsibility for his actions and expressed his profound remorse. Tr. at 19-23.

8. Throughout his criminal case Mr. Wahi was permitted to remain at liberty on bail, was permitted to travel to visit with Bianca, appeared in a timely fashion for every required court appearance, fully complied with all conditions of his release, and was permitted to surrender himself to FCI Fort Dix on or about July 17, 2023, where he served his sentence without incident

earning credits under the Federal First Step Act, 18 U.S.C. §3632. By the time that Mr. Wahi was sentenced by the District Court, ICE had filed a detainer against him as an allegedly deportable alien, which detainer prevented the Bureau of Prisons from assigning Mr. Wahi to a camp, for which he would have otherwise been eligible. The ICE detainer also prevented Mr. Wahi from being released to a residential facility or home confinement for the last six months of his sentence, for which he was otherwise eligible, under 18 U.S.C. §3624(c)(2) requiring him instead to remain imprisoned at Fort Dix for that final sixth month period.

9. On or about September 27, 2024, Mr. Wahi completed his sentence, was taken into ICE custody, transferred to the ECDF, and placed in removal proceedings before the Elizabeth Immigration Court. A copy of the original notice to appear and amended charges of removability are attached as Exhibit H. On October 10, 2024, the Elizabeth Immigration Court (Armstrong, J.) issued an order, copy attached as Exhibit I, holding that the court lacked jurisdiction to consider bond because Mr. Wahi was subject to mandatory detention under 8 U.S.C. §1226(c)(1) based on the charges of removability that the Immigration Court sustained.

10. Mr. Wahi has contested all charges of removability and has applied for adjustment of status under 8 U.S.C. §1255 with a waiver under 8 U.S.C. §1182(h), which, as noted above, is scheduled for an individual hearing before the Elizabeth Immigration Court on July 18, 2025. In the event that relief is granted, the Department of Homeland Security (“DHS”), which has opposed relief throughout removal proceedings, will almost certainly appeal any grant of relief to the Board of Immigration Appeals (“BIA”). In the event that relief is denied in Immigration Court, Mr. Wahi will appeal to the BIA and then to the United States Court of Appeals for the Third Circuit if relief is denied at the BIA either on an appeal by the Petitioner or

an appeal by DHS. In short, there is every reason to believe that Mr. Wahi's detention will continue well past the July 18, 2025 individual hearing.

11 Mr. Wahi is imprisoned at ECDF with detainees who are facing pending state or federal prosecution on offenses ranging from driving under the influence and domestic violence to drug trafficking, felony hit and run and illegal reentry. He is confined to a dorm for 22 hours a day with only one hour outdoors in a facility where dorms have had to be emptied due to bed bugs, where the toilets are frequently broken and overflowing without repair, and solitary confinement is frequently used as a form of discipline. The conditions at ECDF have been the subject of a comprehensive report attached as Exhibit J and also criticized by members of the New Jersey Congressional delegation in a submission, a copy of which is attached as Exhibit K. While not a county jail, the ECDF has come under blistering criticism as inhumane, with the report in Exhibit J urging that "For nearly three decades, people incarcerated in the facility have been subject to severe lack of access to fresh air or sunlight, cramped and unsanitary living quarters infested with vermin, consistent medical neglect, and abusive treatment from guards and other [facility] staff—some for exceptionally long periods of time." See also N.J. Stat. §30:4-8.14 (c) ("Detention centers and correctional facilities in New Jersey have a history of poor conditions, including inadequate medical and mental health care, use of isolated confinement, and incidents of violence and retaliation against people in detention."). Moreover in the ongoing litigation concerning whether New Jersey can preclude renewal of the ECDF contract with the government, it was established that ECDF now houses not only medium but also high risk detainees. See CoreCivic, Inc. v. Murphy, 690 F.Supp.3d 467, 473 (D.N.J. 2023), appeal docketed Sept. 7, 2023, C/A Dkt. No. 23-2598.

12. Mr. Wahi suffers from PTSD but has received no psychological assistance at the ECDF only the offer of sleeping medication. He also suffers from periodontitis but when he asked for dental care to avoid bleeding gums, he was advised by ECDF staff that such care was available only after detention at ECDF for a year. In addition his continued detention has also taken a toll on his wife.

13. Mr. Wahi is neither a danger to the community nor a flight risk and his continued detention has caused and will continue to cause immediate and irreparable harm to him and his wife. All required administrative remedies for Mr. Wahi's release have been exhausted. A prior habeas corpus application, Wahi v. Pittman, Civil Action No. 24-101314 (MAS) was dismissed without prejudice, both initially (Dkt. No. 5) and on reconsideration (Dkt. No. 18) on the grounds that detention was not lengthy at the time the petition was first filed and with the admonition from the District Court (Shipp, J.) that the proper course would be to file a new habeas petition in light of subsequent developments.

COUNT ONE

14. Paragraphs 1 through 13 above are repeated and realleged as though fully set forth herein.

15. The continued mandatory detention of Mr. Wahi has been unreasonably prolonged contrary to the Due Process Clause of the Fifth Amendment to Constitution and will continue to be prolonged without an individual bond hearing under conditions resembling those of a prison qualifying the Petitioner for a bond hearing under Santos v. Warden Pike Cty Corr. Facility, 965 F.3d 203 (3d Cir. 2020). See also Diop v. ICE/Homeland Sec. 656 F.3d 221, 234-235 (3d Cir. 2011) which held that "the constitutional case for continued detention without inquiry into its necessity becomes more and more suspect as detention continues past" what the

Supreme Court recognized in Demore v. Kim, 538 U.S. 510, 530 (2003) as the likely completion of removal proceedings both before the Immigration Court and on appeal to the BIA. Under the Due Process Clause of the Fifth Amendment, Mr. Wahi should be given a prompt, individualized bond hearing at which ICE has the burden of establishing that he is a flight risk and a danger to the community. See Chavez-Alvarez v. Warden, 783 F.3d 469, 478n.12 (3d Cir. 2015).

COUNT TWO

16. Paragraphs 1 through 13 above are repeated and realleged as though fully set forth herein.

17. Given the prolonged detention of Mr. Wahi the Court should exercise independent power under 28 U.S.C. §§2241 and order his release.

WHEREFORE, Petitioner Ishan Wahi demands judgment:

(a) Declaring Petitioner's prolonged mandatory detention by Respondents to be contrary to the Constitution and enjoining Respondents to grant him a prompt bond hearing before an Immigration Judge at which ICE will have the burden to demonstrate by clear and convincing evidence that the Petitioner is neither a flight risk nor danger to the community;

(b) In the alternative, granting the petition for a writ of habeas corpus releasing the Petitioner from custody and/or staying transfer outside the District of New Jersey.

(c) Granting costs and attorneys fees and such other and further relief that this Court may deem proper.

Dated: Newark, New Jersey
March 30, 2025

/s/Thomas E. Moseley
THOMAS E. MOSELEY
One Gateway Center--Suite 2600
Newark, New Jersey 07102
(973)-622-8176
Attorney for Petitioner

Exhibit A

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ELIZABETH IMMIGRATION COURT

LEAD FILE: 
IN REMOVAL PROCEEDINGS
DATE: Mar 25, 2025

TO: Law Offices of Thomas E. Moseley
Moseley, Thomas Edward
One Gateway Center
Suite 2600
Newark, NJ 07102

RE:  WAHI, ISHAN

Notice of In-Person Hearing

Your case has been scheduled for a INDIVIDUAL hearing before the immigration court on:

Date: Jul 18, 2025
Time: 1:00 P.M. ET
Court Address: 625 EVANS STREET, ROOM 148A, ELIZABETH, NJ 07201

Representation: You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

Failure to Appear: If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

Change of Address: The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at <https://respondentaccess.eoir.justice.gov/en/> or by completing the enclosed paper form and mailing it to the immigration court listed above.

Internet-Based Hearings: If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at <https://www.justice.gov/eoir/eoir-immigration-court-listing>.

In-Person Hearings: If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call 1-800-898-7180 (toll-free) or 304-625-2050.

The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL[M] PERSONAL SERVICE[P] ELECTRONIC SERVICE[E]
TO: [] Noncitizen | [] Noncitizen c/o Custodial Officer |
[E] Noncitizen ATT/REP | [E] DHS
DATE: MARCH 25, 2025 BY: COURT STAFF EM
Attachments: [] EOIR-33 [] Appeal Packet [] Legal Services List [X] Other NH



Use a smartphone's camera to scan the code on this page to read the notice online.

Usa la cámara de un teléfono inteligente para escanear el código de esta página y leer el aviso en línea.

Use a câmara do smartphone para digitalizar o código nesta página e ler o manual de instruções online.

使用智能手机摄像头扫描本页面的代码，即可在线阅读该通知。

ਨੋਟਿਸ ਨੂੰ ਆਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੇਜ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে নোটিশ পড়ার জন্য এই পৃষ্ঠায় কোডটি স্ক্যান করলে স্মার্টফোনের ক্যামেরা ব্যবহার করুন

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

Чтобы прочитатъ уведомление онлайн, отсканируйте код на этой странице с помощью камеры вашего смартфона.

Utilisez l'appareil photo d'un téléphone intelligent pour scanner le code sur cette page afin de lire l'avis en ligne.

Exhibit B



Receipt Number [REDACTED]		Case Type I130 - PETITION FOR ALIEN RELATIVE
Received Date 01/17/2025	Priority Date 01/17/2025	Petitioner HABIB, BIANCA
Notice Date 03/05/2025	Page 1 of 1	Beneficiary [REDACTED] WAHII, ISHAN

HABIB, BIANCA c/o BIANCA HABIB [REDACTED]	Notice Type: Approval Notice Section: Husband or wife of U.S Citizen, 201(b) INA
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The above petition has been approved. The petition indicates that the beneficiary wishes to apply for adjustment of status to that of a lawful permanent resident. They should submit a copy of this notice, along with a Form I-485, Application to Register Permanent Residence or Adjust Status. The beneficiary can obtain Form I-485 from the USCIS website at www.uscis.gov, by contacting the USCIS Contact Center at 1-800-375-5283, or by visiting the local USCIS field office. Filing address information can be found on the USCIS website at www.uscis.gov.

If the beneficiary decides to apply for an immigrant visa through consular processing outside the United States based on this petition, you should file Form I-824, Application for Action on an Approved Application or Petition with fee, to ask USCIS to send the petition to the U.S. Department of State National Visa Center (NVC) for consular processing. Please refer to the Form I-824 filing instructions at uscis.gov.

The NVC processes all approved immigrant visa petitions that require consular action. The NVC also determines which consular post is the appropriate consulate to complete visa processing. The NVC will then forward the approved petition to that consulate.

The NVC will contact the beneficiary of this petition with further information about immigrant visa processing steps.

THIS NOTICE IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

NOTICE: Although this application or petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

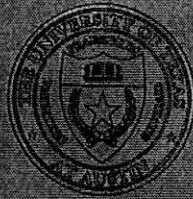
Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to <https://www.uscis.gov/file-online>.

Vermont Service Center
 U.S. CITIZENSHIP & IMMIGRATION SVC
 38 River Road
 Essex Junction VT 05479-0001

USCIS Contact Center: www.uscis.gov/contactcenter

Exhibit C



THE UNIVERSITY OF TEXAS AT AUSTIN

has conferred on

Ishan Wahi
the degree of

Bachelor of Science in Computer Sciences

and all the rights and privileges thereto appertaining.

*In Witness Whereof, this diploma duly signed has
been issued and the seal of the University affixed.*

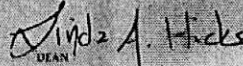
Issued by the Board of Regents upon Recommendation of the Faculty.

AWARDED ON THIS THIRTEENTH DAY OF AUGUST, 2012


CHAIRMAN, BOARD OF REGENTS


PRESIDENT


CHANCELLOR


DEAN

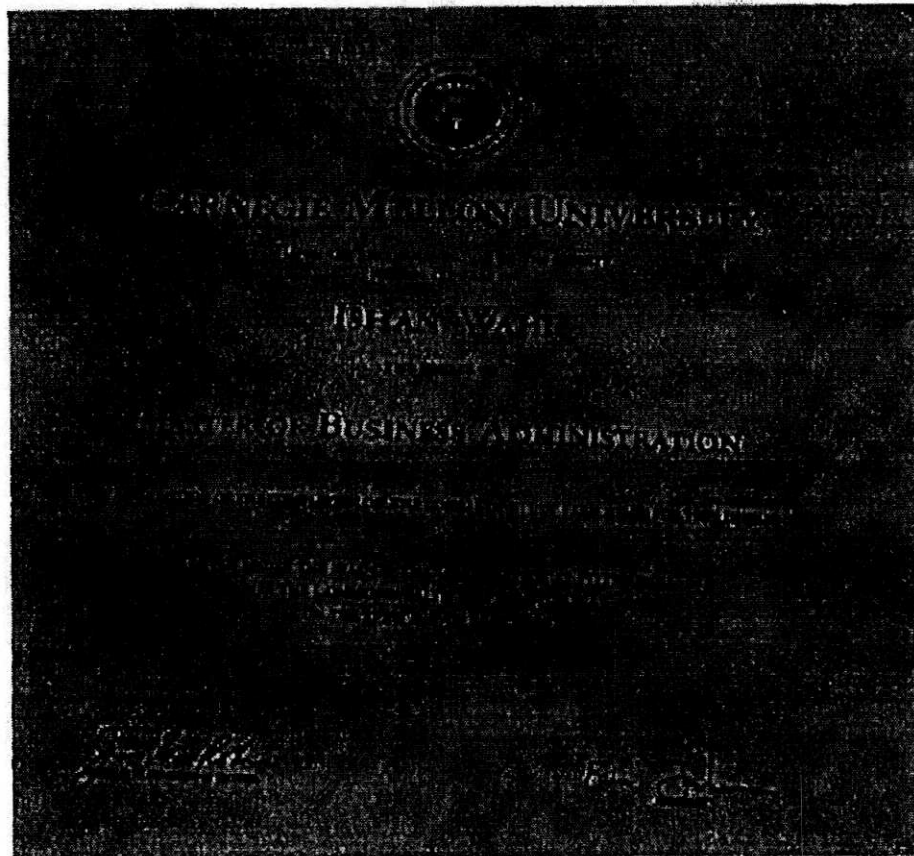


Exhibit D

Jane H. Minichiello
Chief Counsel
United States Immigration & Customs Enforcement
970 Broad Street—13th Floor
Newark, New Jersey 07102

Re: Ishan Wahi A 

Dear Ms. Minichiello:

My name is Bianca Habib, and I am Ishan Wahi's fiancée. I was born and raised in Houston, Texas and have been a practicing attorney in Texas for over eight years. Ishan and I met through mutual friends and started spending more time together shortly after we both graduated from college in 2012. We initially bonded over our love of dogs; however, I quickly noticed how thoughtful, considerate, and dependable of an individual he was no matter who it was towards. This thoughtfulness, consideration, and dependability only continued into our romantic relationship. He is my backbone, my best friend, and the man I am committed to marry and seek the exercise of prosecutorial discretion so that he can remain in the United States while we seek to regularize his status.

There are people in this world who effortlessly radiate this goodness and generosity through their actions; Ishan is one of those people. Ishan will go out of his way to meaningfully help and support others. If you believe in the theory of love languages, Ishan's love language is acts of service. Ishan tries to help others by finding solutions to their problems.

Throughout our friendship, I frequently heard from others and personally observed Ishan's altruism towards his family and friends such as when he would regularly loan his car to a friend so he could go to work, guide his cousins in their undergraduate studies, provide money to friends' family members to make rent, assist struggling friends down hikes, offer to drive his friends so they avoided uphill walks in the rain, help friends move, as well as set aside his limited free time to provide career advice to those who reached out to him.

This altruism was not only limited to his family and friends but also something I observed towards strangers. It is difficult to narrow down the countless instances, but some include Ishan carrying extra water bottles in his car to give to individuals experiencing homelessness, covering the cost of a man's meal at Whataburger when he could not afford it, volunteering his time at animal shelters to help animals find their forever homes, and developing a way to provide access to education to those less fortunate in the world. Ishan does things without being asked. These same acts that come second nature for Ishan, other people will only do when asked or after seeing someone else do them first.

The more time I spend with Ishan, the more I see the difference between when someone says, "Let's figure out how to resolve this" and "Let me know if you need anything". The former is action taken by the speaker whereas the latter puts the onus on the other person to ask for help. A few winters ago, Ishan and I were walking back from a workout when we encountered a homeless woman with two children. Neither of us had our wallets, but Ishan voiced the thought I had in my head, "I'm going to come back after we get home to help her." On this walk, I brought

up how it was not a common sight in Capitol Hill to see homeless mothers with children living in tents. Ishan suggested the family likely took a bus and/or train to come to the city every day. When I asked how he arrived at that conclusion, Ishan told me about an interaction he had with a blind man in India who he would frequently speak to and assist. Ishan described how when he offered this man a ride to the bus station, the man told him about how he would switch trains twice and then take a bus, all totaling about 1.5 hours each way, to come to the corner he frequented every day to ask for money. Ishan tries to better understand all walks of life to develop solutions to others' struggles, and this could not be better demonstrated then when he quit his stable career to join/co-found TheTeacherApp which provided access to education to those less fortunate in the world. Ensuring that education be available to everyone embraces Ishan's stewardship approaches for giving back and helping others that I previously observed in smaller degrees. "Thank you, Teacher." This is a phrase I imagine many students in India began using after TheTeacherApp was created. It is also the phrase I frequently heard from Ishan's students at Seattle Community College where he volunteered his time teaching English and Mathematics to ESL and GED students.

Most people do not perform acts of kindness with the thought they will need someone to write a letter of support describing such acts later. For the almost thirteen years that I have known Ishan, he has been performing acts of kindness and generosity that often went overlooked with no benefit to him. These altruistic acts have only continued when our almost decade long friendship blossomed into a beautiful romantic relationship.

Ishan has treated me with a level of respect, kindness, patience, and compassion that I have not experienced before in a romantic relationship. He has been one of my greatest supports despite everything he has gone through of late and helps me improve in the areas where I struggle. We have each gone through many individually challenging experiences during our relationship but were able to get through them together due to our endless support and love for one another.

I made the decision to freeze my eggs shortly into Ishan and I dating long distance. I experienced others' somewhat judgmental opinions of how I was doing this because I wanted to have children immediately (or "my biological clock was ticking") when I shared my plans. Ishan supported me wholeheartedly despite us not yet having a conversation about children. He was on FaceTime with me every day supporting me while I did my injections. He was the one reassuring me everything would work out when I underwent anesthesia for the first time for the egg extraction. He never once made my decision about him. Since then, we discussed and plan to create embryos with my eggs to have a child together which is only feasible to do in the United States.

Ishan helped push me out of my comfort zone and ease my nervousness with public speaking before my first trial. I was sitting "first chair" at trial for the first time in my career, and I was extremely overwhelmed before the trial particularly after I found out on a Thursday that the trial would be proceeding that coming Tuesday. Ishan was a stalwart support helping me with the delivery of my opening statement; he kept me grounded when I got overwhelmed; he made me breakfast each morning while I was preparing; and he dropped and picked me up from the courthouse so I could have one less thing to stress about.

Our relationship started with us being long distance, making cross country trips from Seattle to Houston and vice versa to visit one another. Our commitment grew to us living together in Texas where we were inseparable, and I became increasingly dependent on him to the point that

I cannot fathom a life without him. Ishan took care of me, taught me to cook, eat healthier, take better care of myself physically, and even took care of my beloved dog, Coco, as if he were his own. Ishan would walk a mile and pick up Coco from doggy daycare. He would feed him, walk him, play with him, and sleep on the floor holding him when there was a thunderstorm to ease his fears. We became a family. After seeing the level of love and care he exhibited, he is the only person I want to have children with and that can only happen if he is in the country. Ishan is an irremovable part of my life; and, on July 2, 2023, we made the commitment to spend our lives together.

Ishan's incarceration has taken a significant toll on me both emotionally, financially, and physically. While we were living together, my work, and as a result, my compensation flourished. Since we have been separated, both have suffered. I was diagnosed with "Generalized Anxiety Disorder". Not being able to speak with him regularly has added to my anxiety because I no longer have the support I am so deeply accustomed to. Flying across the country to see him has financially impacted me. After fourteen months of multiple emotional breakdowns, unexpected bursts of tears, hair loss, over four hours of air travel followed by a two hour drive each way, numerous interactions with unpleasant individuals, weather disasters, rental car issues, flight cancellations, and long wait times (sometimes in the extreme heat or cold) to spend maybe only a total of ten hours over three days with Ishan, it felt like there was finally a light at the end of the tunnel where we would get to continue our lives together. However, that light feels like it is getting dimmer.

The thought of Ishan not being able to stay in this country is both nerve wrecking and heartbreaking, and my anxiety has deepened because I do not know what our future will be. I have lived in Texas my entire life and have deep-rooted family, friend, and career ties here and would suffer extreme hardship if Ishan and I were separated. I am a Senior Attorney at the Dunk Law Firm where I manage a docket of about 120 personal injury cases. I have been an attorney at my current firm since I became licensed and am on track for partner; it is the only career I know.

Ishan is a caring partner and has been a positive influence in my life, and I believe his qualities will certainly contribute positively to our country. He has actively contributed to society through his work in the past and plans to continue to do so in the future. A person should not be defined by one action, whether good or bad, but by their actions as a whole. I understand that Ishan has made a mistake, and I do not condone his choices; however, I also believe that he deserves this second chance to prove himself and contribute positively to society again, and I will continue to stand by him and support him throughout this time.

Ishan accepts responsibility for what he did that led to his conviction and deeply regrets his actions, which were out of character. He has certainly learned his lesson, a hard lesson, and will not repeat such conduct in the future. I humbly request you to consider Ishan's kindheartedness, good character, his nearly fifteen years in this country, and our relationship and be merciful and compassionate in considering our situation and help us stay together. A positive immigration decision will greatly impact our lives, allowing us to continue our journey as a married couple in the same country. Thank you for your consideration.

Respectfully,
Bianca Habib
Bianca Habib

Exhibit E





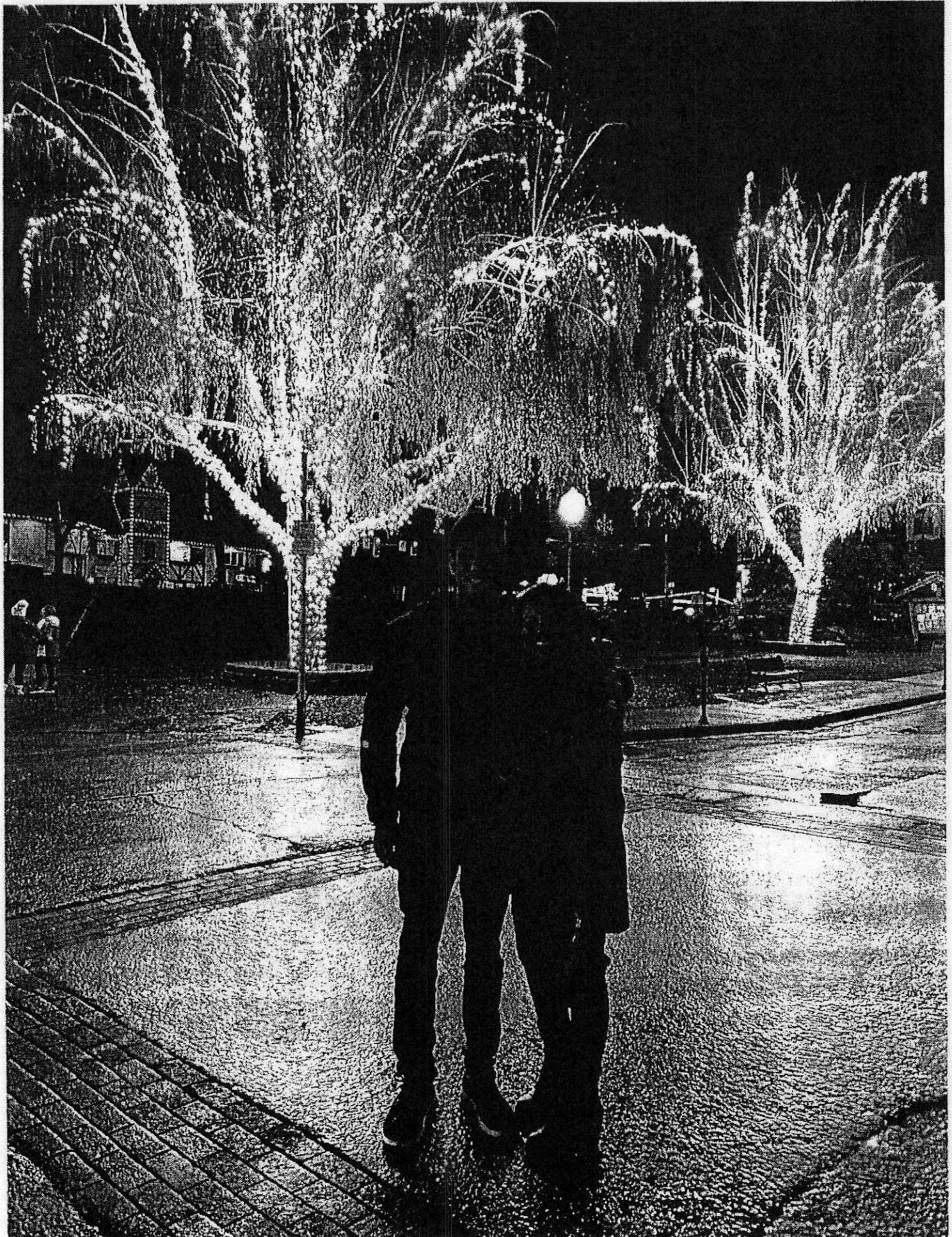


Exhibit F