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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NILUFER ADAK, as Next Friend of MENDERES DEMIR (A#

,

Petitioner,

v.

ALEJANDRO MAYORKAS, Secretary of Homeland Security,

MERRICK GARLAND, U.S. Attorney General,

[Unknown ICE Field Office Director],

Respondents.

Civil Action No. _____

**EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS
AND
MOTION FOR TEMPORARY RESTRAINING ORDER**


EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

AND

MOTION FOR TEMPORARY RESTRAINING ORDER

INTRODUCTION

Petitioner Nilufer Adak, on behalf of her brother Menderes Demir (A# ) , files this emergency petition and motion for temporary restraining order to stay imminent removal and unlawful detention, on the grounds of serious due process violations, ineffective assistance of counsel, medical emergency, and ongoing investigation into possible U.S. citizenship.

Menderes Demir faces imminent deportation despite (1) an improperly conducted asylum and credible fear process, (2) unauthorized and ineffective representation by an individual not authorized to practice before immigration courts, and (3) a life-threatening medical condition exacerbated by detention and removal.

Petitioner respectfully requests that this Court immediately stay his removal, order disclosure of his detention location, and hold proceedings to review the grave violations of Menderes' constitutional and statutory rights.

JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus jurisdiction) and 28 U.S.C. § 1331 (federal question jurisdiction). Venue is proper in the District of Massachusetts because Petitioner Nilufer Adak, as Next Friend, resides in Worcester County, Massachusetts, and urgent circumstances prevent Menderes Demir from filing directly.

PARTIES

- **Petitioner:** Nilufer Adak, U.S. citizen, sister and Next Friend of Menderes Demir, residing at 1 Franklin Street, Apartment 1, Leominster, MA 01453.
 - **Respondents:** Alejandro Mayorkas, Secretary of DHS; Merrick Garland, U.S. Attorney General; unknown ICE Field Office Director.
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FACTUAL BACKGROUND

1. **Pending Immigration Petition:** On March 28, 2024, Petitioner Nilufer Adak filed an I-130 Petition for Alien Relative (receipt number IOE0975199710) on behalf of Menderes Demir. USCIS has not yet adjudicated this petition.
2. **Legal Entry and Detention:** Menderes entered the U.S. lawfully on December 1, 2024. He was detained by ICE shortly thereafter.
3. **Attorney Misconduct:**
 - Menderes' family was approached by "Attorney" Lawrence Lorente inside the detention center.
 - Lorente was not listed on the EOIR Roster of Registered Practitioners.
 - Lorente collected over \$3,000 through Zelle, and other money transfer services, without providing receipts or proper legal services.
 - Lorente missed Menderes' first court hearing, failed to file necessary appeals, demanded additional money, and misrepresented his authority to practice immigration law.
4. **Due Process Violations:**
 - No meaningful opportunity for Menderes to present evidence of his persecution as a Turkish Jew.
 - Translation services during credible fear interview were inaccurate and deficient.
 - Removal proceedings were conducted without proper legal representation.
5. **Medical Emergency:**
 - Menderes suffers from Granulomatosis with Polyangiitis, a rare autoimmune disease that could be fatal without treatment.

- o Deportation to Turkey would expose him to conditions that pose a life-threatening risk.

6. Unknown Detention Location:

- o ICE refuses to disclose Menderes' current detention location.
- o His A# returns no results when searched.

CLAIMS FOR RELIEF

I. Violation of Fifth Amendment Due Process

Menderes was deprived of a full and fair opportunity to present his asylum claims, was coerced into signing documents under duress, and was denied meaningful legal assistance.

II. Ineffective Assistance of Counsel

Under *Matter of Lozada* standards, Lorente's gross misconduct prejudiced Menderes' rights. Petitioner intends to file a grievance with the Texas State Bar.

III. Violation of Rehabilitation Act and ADA

ICE failed to accommodate Menderes' serious medical condition.

IV. Unlawful Detention and Removal under 28 U.S.C. § 2241

Menderes' possible derivative U.S. citizenship has not been adequately investigated, rendering detention and removal unlawful.

PRAYER FOR RELIEF

Petitioner respectfully requests that this Court:

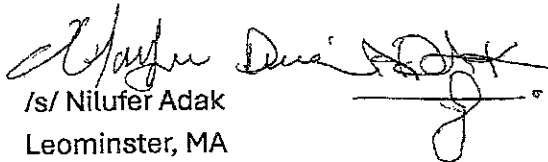
1. Issue an immediate Temporary Restraining Order staying Menderes Demir's removal.
2. Order ICE to disclose Menderes' current detention location.
3. Order Respondents to file a response to the Petition for Writ of Habeas Corpus.
4. Order Menderes' release pending resolution of the Petition.
5. Grant such other and further relief as may be just and proper.

CERTIFICATE OF SERVICE

I hereby certify that on April, 29th, 2025 I served a true and correct copy of the foregoing Petition for Writ of Habeas Corpus, Emergency Motion for Temporary Restraining Order, and supporting Exhibits upon the following:

- Office of the United States Attorney for the District of Massachusetts, by electronic filing through the Court's CM/ECF system.
- U.S. Immigration and Customs Enforcement (ICE) Boston Field Office, via email or as otherwise directed by the Court.

Respectfully submitted,


/s/ Nilufer Adak
Leominster, MA

4/29/25