

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

DORIAN ABAD ABROSI,

Petitioner,

v.

WARDEN OF FOLKSTON ICE
PROCESSING CENTER, *et al.*

Respondents.

Case No. 5:25-cv-13

NOTICE OF DEVELOPMENTS IN IMMIGRATION PROCEEDINGS

Petitioner hereby provides notice to this Court of recent developments in his immigration proceedings before the Board of Immigration Appeals (“BIA”).

1. On April 25, 2025, the BIA issued a “Background Check Hold Notice” in Petitioner’s case. *See* Ex. 1, First BIA Notice. This notice informed Petitioner that the BIA is pausing the adjudication of Immigration and Customs Enforcement’s (“ICE”) appeal of his grant of protection from removal until ICE reports to the BIA “whether this matter is in compliance with background check requirements” under 8 C.F.R. § 1003.1(d)(6). That regulation prohibits the BIA from “affirming or granting to a [non-citizen] . . . relief or protection from removal . . . that requires completion of identity, law enforcement, or security investigations or examinations” if those background checks were never completed, are no longer current, or have revealed new information about the non-citizen that bear on the merits of his application for protection. 8 C.F.R. § 1003.1(d)(6)(i).

2. On May 7, 2025, ICE filed a response with the BIA, stating that Petitioner's "biometrics were updated/completed on May 6, 2025" and he "is currently compliant with background check requirements." Ex. 2, ICE Response to BIA Notice.

3. On May 21, 2025, the BIA issued a second notice stating that ICE's "response is insufficient for the Board to complete adjudication of the case at this time because" it is "unclear as to the expiration date of the DHS required background check." Ex. 3, Second BIA Notice.

4. The BIA evidently intends to dismiss ICE's appeal and affirm Petitioner's grant of withholding of removal. Yet, for nearly a month, ICE's failure to properly update Petitioner's background checks, which is out of Petitioner's control, has prevented this from occurring. Meanwhile, Petitioner remains detained six months after being granted protection from removal and for nearly two years total. His habeas petition and motion for a preliminary injunction remain pending before this Court.

DATED: May 22, 2025

/s/ Felix A. Montanez

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Respectfully submitted,

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Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I hereby certify that on this date, I uploaded the foregoing Notice of Developments in Immigration Proceedings, which will send a Notice of Electronic Filing to all counsel of record.

Dated: May 22, 2025

Respectfully submitted,

/s/ Felix Montanez