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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 ZUHIR ZIN EDDIN,
14 Petitioner,
15 v.
16 KRISTI NOEM, et al.,
17 Respondents.
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No. 2:25-cv-04817-JFW-DTB

**RESPONDENTS' ANSWER TO
PETITION FOR WRIT OF HABEAS
CORPUS**

*[Declaration of Cane Langill filed
concurrently herewith]*

Honorable David T. Bristow
United States Magistrate Judge

ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS

I. INTRODUCTION

Petitioner Zuhir Zin Eddin (“Petitioner”) brings an Amended Petition for Writ of Habeas Corpus (the “Petition”) challenging his detention pending removal pursuant to the Fifth Amendment’s Due Process Clause and *Zadvydas v. Davis*, 533 U.S. 678 (2001). *See* Petition, ECF No. 6. In his Petition, Petitioner seeks immediate release from detention.

Petitioner is subject to a final order of removal. Respondents are currently seeking travel documents to remove Petitioner to multiple countries and now answer the Petition as follows.

II. RELEVANT FACTS AND PROCEDURAL HISTORY

The following background facts are offered as not in dispute from Plaintiff’s Petition, ECF No. 6, and the Declaration of Cane Langill (“Langill Decl.”), ECF No. 12-1.

Petitioner is a native and citizen of Syria and is a member of the Druze minority. Petition ¶ 17; Langill Decl. ¶ 4. Petitioner attempted to enter the United States without inspection near El Paso, Texas, from Mexico. Petition ¶ 17; Langill Decl. ¶ 5. Petitioner was served with a Notice to Appear after receiving a positive credible fear determination from an asylum officer on January 30, 2024. Langill Decl. ¶ 6. On April 24, 2024, Petitioner filed a Form I-589, Application for Asylum, Withholding of Removal, and Withholding of Removal under the Convention Against Torture before the El Paso Immigration Court. *Id.* ¶ 7. The immigration court held a hearing on June 14, 2024, and granted Petitioner withholding of removal under section 241(b)(3) of the Immigration and Nationality Act. *Id.* ¶ 8; Petition ¶ 18. Petitioner was ordered “removed to Any Country EXCEPT Syria.” Petition ¶ 18. On December 9, 2024, Petitioner filed a Form I-821: Application for Temporary Protected Status (“TPS”) with United States Immigration and Citizenship Services. *Id.* ¶ 19; Langill Decl. ¶ 9.

On February 25, 2025, Petitioner was detained following a scheduled check-in

1 with ICE. Petition ¶ 20, Langill Decl. ¶ 10. ICE provided Petitioner’s case information
2 to the Department of State on March 18, 2025, to assist with possible third-country
3 removal. Langill Decl. ¶ 11. Requests were submitted to Mexico and Venezuela on
4 April 4, 2025, to determine if those countries would accept Petitioner. *Id.* ¶ 12. Those
5 requests remain unanswered. *Id.*

6 On July 16, 2025, ICE’s Office of Enforcement and Removal Operations received
7 guidance that it could no longer send requests directly to foreign countries to accept
8 third-country nationals, and to contact Removal Management Division as soon as
9 possible if a noncitizen requires third country of removal. *Id.* ¶ 14. On August 1, 2025,
10 an email was sent to the Removal Management Division, advising them that Petitioner
11 has withholding of removal and needs a third country of removal. *Id.* ¶ 15. Petitioner
12 remains in ICE custody. *Id.* ¶ 16.

13 **III. APPLICABLE LAW**

14 **A. Detention during removal period**

15 Petitioner’s detention is authorized under is 8 U.S.C. § 1231(a)(2), which provides
16 that “[d]uring the removal period, the Attorney General shall detain the alien.” 8 U.S.C.
17 § 1231(a)(2). Under 8 U.S.C. § 1231(a)(1)(A), the government generally has 90 days to
18 facilitate the alien’s removal. *Thai v. Ashcroft*, 366 F.3d 790, 793 (9th Cir. 2004)
19 (citation omitted); *see also* 8 U.S.C. § 1231(a)(1)(A). Where removal cannot be
20 accomplished within the 90-day removal period, continued detention is authorized by 8
21 U.S.C. § 1231(a)(6) (“An alien ordered removed ... who has been determined by the
22 Attorney General to be a risk to the community or unlikely to comply with the order of
23 removal, may be detained beyond the removal period...”).

24 In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that 8 U.S.C.
25 § 1231(a)(6) contained an implicit “reasonable time” limitation. *Zadvydas*, 533 U.S. at
26 682. The Court concluded that, for the sake of uniform administration in the federal
27 courts, six months was a presumptively reasonable period of detention pending removal.
28 *Id.* at 701. The Court elaborated:

1 After this 6-month period, once the alien provides good reason to believe that
2 there is no significant likelihood of removal in the reasonably foreseeable
3 future, the Government must respond with evidence sufficient to rebut that
4 showing ... This 6-month presumption, of course, does not mean that every
5 alien not removed must be released after six months. To the contrary, an alien
6 may be held in confinement until it has been determined that there is no
7 significant likelihood of removal in the reasonably foreseeable future.

8 *Zadvydas*, 533 U.S. at 701.

9 Thus, even when an alien is detained for longer than six months, the alien is not
10 automatically entitled to habeas relief. He still has the burden to show that there is
11 “good reason to believe that there is no significant likelihood of removal in the
12 reasonably foreseeable future.” *Id.*; see also *Clark v. Suarez-Martinez*, 543 U.S. 371,
13 377–78 (2005). The Ninth Circuit has held that meeting this burden requires the alien to
14 show that he “is unremovable because the destination country will not accept him or his
15 removal is barred by our own laws.” *Prieto-Romero v. Clark*, 534 F.3d 1053, 1063 (9th
16 Cir. 2008). Only if the alien can make this showing does the burden shift to
17 Respondents to provide rebuttal evidence. *Zadvydas*, 533 U.S. at 701.

18 **B. Temporary Protected Status**

19 The TPS program “provides humanitarian relief to foreign nationals in the United
20 States who come from specified countries.” *Sanchez v. Mayorkas*, 593 U.S. 409, 412
21 (2021). Under this program, a country experiencing “dangerous conditions arising from
22 armed conflicts or natural disasters” can be designated for protection, thereby allowing
23 citizens of that country already present in the United States to obtain TPS. *Hernandez v.*
24 *Garland*, 47 F.4th 908, 910 (9th Cir. 2022); see 8 U.S.C. § 1254a(b), (c)(1). TPS
25 “protects aliens from removal for the duration of their country’s designation and allows
26 them to work in the United States.” *Hernandez*, 47 F.4th at 910. Unlawful entry
27 “generally does not preclude” TPS status. *Id.*; see 8 U.S.C. § 1254a(c)(2)(A)(ii).

28 The statute further states that, “[i]n the case of an alien who establishes a prima
facie case of eligibility for [TPS] benefits . . . the alien shall be provided such benefits”

“until a final determination” is made. 8 U.S.C. § 1254a(a)(4)(B); *see also* 8 C.F.R. § 244.5(b) (“Upon the filing of an application for [TPS], the alien shall be afforded temporary treatment benefits, if the application establishes the [noncitizen's] prima facie eligibility for [TPS].”). The regulations define “prima facie” as “eligibility established with the filing of a completed application for [TPS] containing factual information that if un rebutted will establish a claim for eligibility” under the statute. 8 C.F.R. § 244.1.

C. Petitioner’s detention

Here, it is undisputed that Petitioner has been detained since February 25, 2025, which is less than six months. Respondents do not dispute that Petitioner has a pending TPS application and has established prima facie eligibility under the statute. Thus, Petitioner cannot be removed until his application is denied or Syria is no longer a designated country. ICE continues to seek Petitioner’s removal to third countries, which can be effectuated after his TPS application is resolved.

Respondents have no additional documents or information to provide to the Court at this time.

IV. CONCLUSION

Respondents respectfully submit that Petitioner’s Habeas Petition is now ripe for adjudication. Respondents do not believe that an evidentiary hearing is required.

Dated: August 15, 2025

Respectfully submitted,

BILAL A. ESSAYLI

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Assistant United States Attorney

Chief, Civil Division

DANIEL A. BECK

Assistant United States Attorney

Chief, Complex and Defensive Litigation Section

/s/Ryan C. Chapman

RYAN C. CHAPMAN

Assistant United States Attorney

Attorneys for Respondents

DECLARATION OF CANE LANGILL

I, Cane Langill, do hereby declare and state as follows:

1. I am employed as a Deportation Officer ("DO") by the U.S. Department of Homeland Security ("DHS"), U.S. Immigration and Customs Enforcement ("ICE"), Office of Enforcement and Removal Operations ("ERO").

2. I am currently assigned to the ERO Los Angeles Field Office, Adelanto Processing Center. I have reviewed documents contained in Petitioner's alien file ("A-file") and/or other official government records related to Petitioner's removal proceedings, and unless otherwise stated, this declaration is based on that review. If called as a witness, I could and would competently testify thereto.

3. My responsibilities as DO include the review of detained alien cases. As part of my duties, I reviewed the case of Zuhir Zin Eddin (ZIN EDDIN). I was assigned to this case on or about July 7, 2025.

4. The Petitioner, ZIN EDDIN, is a native and citizen of Syria.

5. On or about December 21, 2023, ZIN EDDIN, attempted to enter the United States without inspection near El Paso, Texas from Mexico.

6. On or about January 30, 2024, ZIN EDDIN was served with a Notice to Appear (NTA) after receiving a positive credible fear determination from an asylum officer.

7. On or about April 24, 2024, ZIN EDDIN filed Form I-589, Application for Asylum, Withholding of Removal, and Withholding of Removal under the Convention Against Torture before the El Paso Immigration Court.

8. On or about June 14, 2024, an immigration judge in El Paso, Texas held a merits hearing on ZIN EDDIN'S applications for relief, and granted ZIN EDDIN Withholding of Removal under §241(b)(3) of the Immigration and Nationality Act (INA).

9. On or about December 9, 2024, ZIN EDDIN filed a Form I-821: Application for Temporary Protected Status (TPS) that is currently pending adjudication.

10. On or about February 25, 2025, ICE – ERO detained ZIN EDDIN.

1 11. On or about March 18, 2025, case information for ZIN EDDIN was provided
2 to the Department of State to assist with possible third country removal.

3 12. On or about April 4, 2025, requests of acceptance of alien were submitted to
4 Mexico and Venezuela. The requests remained unanswered.


5 13. On or about July 25, 2025, the Office of the Principal Legal Advisor (OPLA)
6 for ICE inquired about whether ZIN EDDIN would be considered for release from
7 custody. I escalated the inquiry to my supervisor who indicated that ZIN EDDIN will
8 remain in detention while we continue for a third country of removal.

9 14. On or about July 16, 2025, we received guidance that we are to stop sending
10 requests to foreign governments to accept third country nationals (TCN) under INA §241/
11 8 USC §1231, and to contact Removal Management Division as soon as possible if a
12 noncitizen requires third country of removal.

13 15. On or about August 1, 2025, an email was sent to the Removal Management
14 Division, advising them that ZIN EDDIN has Withholding of Removal and needs a third
15 country of removal.

16 16. ZIN EDDIN remains in custody at the Desert View Annex detention facility.
17 I declare under penalty of perjury under the laws of the United States that the
18 foregoing is true and correct.

19 Executed this 11th day of August 2025, at Los Angeles, California.

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21 
22 Cane Langill
23 Deportation Officer
24 DHS/ICE/ERO
25 Adelanto, California
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