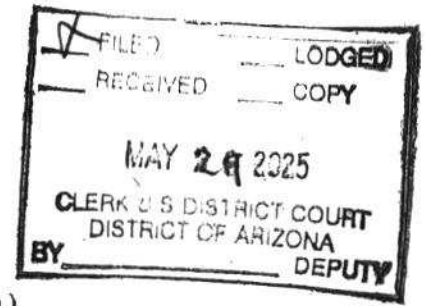


Ekaterina Kunitskaia A# [REDACTED]  
Name and Prisoner Number/Alien Registration Number  
San Luis Regional Detention Center  
Place of Confinement  
406 North Ave D  
Mailing Address  
San Luis, AZ 85349  
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)



IN THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF  
ARIZONA

**EKATERINA KUNITSKAIA**

(Full Name of Petitioner)

Petitioner,

v.

**David R. Rivas, WARDEN AT San Luis  
DETENTION CENTER, ET AL**

(Name of Warden, Jailor or authorized person  
having custody of Petitioner)

Respondent.

CASE NO. **CV25-01846-PHX-DJH-ASB**  
(To be supplied by the Clerk)

**PETITION UNDER 28 U.S.C. § 2241  
FOR A WRIT OF HABEAS CORPUS  
BY A PERSON IN FEDERAL CUSTODY**

**PETITION**

1. What are you challenging in this petition?

- ☒ Immigration detention XX  
☐ Bureau of Prisons sentence calculation or loss of good-time credits  
☐ Probation, parole or supervised release  
☐ Other (explain): \_\_\_\_\_

2. (a) Name and location of the agency or court that made the decision you are challenging: \_\_\_\_\_

Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE)

(b) Case or opinion number: \_\_\_\_\_

(c) Decision made by the agency or court:

- i) Negative Convention Against Torture Assessment Notice for Alien Whose Entry Has Been Suspended and/or Restricted Pursuant to INA Sec. 212(f) and 212(a) and  
ii) Denial of Motion to Stay Removal pending a resolution of a Motion for a Class action in RAICES v. NOEM

3. Date of the decision: April 14, 2025
4. Did you appeal the decision to a higher agency or court?  
Yes ~~G~~ ~~xx~~ No G

If yes, answer the following:

(a) First appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Second appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(c) Third appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

5. If you did not appeal the decision to a higher agency or court, explain why you did not: \_\_\_\_\_  
I was not permitted to appeal or contest this decision  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? **XXX** Yes G No G

If yes, answer the following:

(a) Name of the agency or court: Immigration and Custom Enforcement (ICE)

(b) Date you filed: April 25, 2025

(c) Opinion or case number: none

(d) Result: Denied

(e) Date of result: May 5, 2025

(f) Issues raised: My detention is illegal as per issues raised in RAICES V NOEM, 25-CV-0036, us District Court for the District of DC  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

7. For this petition, **state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States.** Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available administrative remedies on each ground on which you request action by the federal court.

**GROUND ONE:** I have been unlawfully detained by the Immigration and Customs Enforcement (ICE) since February 17, 2025. I have been denied due process of law and an opportunity to file an application for Asylum, Withholding of Removal or any relief under the Convention Against Torture in proceedings before an immigration Judge and in violation of the law and U.S. Constitution.

Via the Immigration and Nationality Act ("INA"), Congress has created a comprehensive statutory system allowing noncitizens fleeing persecution or torture to seek protection in the United States. Congress has given these individuals statutory rights to apply for asylum and other protections. And it has prohibited the government from returning these individuals to places where they face persecution or torture. Congress, too, has enacted an exclusive set of procedures for removing noncitizens from the United States and adjudicating their claims for protection. In doing all this, Congress has struck a careful balance between the interest in quickly removing those who cannot qualify for protection and the need to ensure that people are not wrongfully placed at risk of persecution or torture in another country.

On January 20, 2025, the President issued a proclamation that purports to prohibit noncitizens "from invoking [these] provisions of the INA ... , including" the asylum statute. Proclamation 10888, § 2, *Guaranteeing the States Protection Against Invasion*, 90 Fed. Reg. 8333 (Jan. 20, 2025) ("Proclamation"). And under the Proclamation, the government is doing just what Congress by statute decreed that the United States must *not* do. It is returning asylum seekers—not just single adults, but families too—to countries where they face persecution or torture, without allowing them to invoke the protections Congress has provided.

The proclamation invokes a provision of the Immigration and Nationality Act—Section 212(f)—to "suspend the entry" of noncitizens at the U.S. southern border. The proclamation also cites Article IV, Section 4 of the U.S. Constitution to claim that the president can override immigration laws passed by Congress to protect individual states from "invasion." Through this proclamation, President Trump is attempting to shut down access to asylum at the southern border, even though the law is clear that people seeking safety have the right to ask for protection. Seeking asylum is legal. President Trump's illegal proclamation violates the Immigration and Nationality Act and several other laws passed by Congress, under which any noncitizen who is inside or arriving in the United States may legally apply for asylum. Additionally, under both domestic law and international treaties with which our government is obligated to comply, the United States may not return people to countries where they are likely to face persecution or torture. At a minimum, immigration officers must refer people who express a desire to seek asylum or fear of return for a screening interview with an asylum officer to determine whether they may qualify for protection.

Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

I, Ekaterina KUNITSKAIA A [REDACTED] and my husband Maksim KUNITSKII, A [REDACTED]



 are both citizens of Russia. In 2024-2025, we were awaiting our CBP-One appointment in Mexico until January 20, 2025, when the CBP-One was shut down. On or about February 17, 2025, we tried to enter the United States to seek asylum protection and expressed our fear of persecution, if we were returned to Russia. We were detained at the border. We were not placed in removal proceedings and denied an opportunity to explain our fear or returning to Russia at a hearing before an immigration judge. Since on or about February 17, 2025, I have been unlawfully detained at San Luis Detention Center in Arizona before that I was detained at Imperial Detention Facility in California. My husband is detained at Eloy Detention Center, in Arizona. I cannot return to Russia because my husband is of Ukrainian ethnicity, will be forced to fight in Ukraine and kill his own people. My husband and I were arrested and detained in Russia for expressing our political opinion.

On April 14, 2025, an asylum officer interviewed me and issued a negative Convention Against Torture Assessment (CAT), stating that I did not establish that it is more likely than not that I will be tortured in Russia. I was told I am ineligible for asylum under INA Sec. 212(f) and cannot get a credible fear interview. My attorney was not allowed to be present. I was denied any opportunity to appeal or contest this determination before an Immigration Judge. Similarly, my husband, Maxim, received a negative CAT determination on March 5, 2025, and was not allowed to contest it at a hearing before an immigration judge. The asylum officer denied him the right to have an attorney present. On May 6, 2025, ICE officers tried to put me a commercial fight and send me back to Russia. I refused to board the plane because I will be jailed and killed in Russia, if I were returned there. The ICE officers issued warnings stating that I will be sent back to Russia in chains and under the supervision of ICE officers, if I continue to willfully refuse to disobey a lawful order to board a plane. I did not willfully disobey a lawful order. I was not served with any administrative or court order ordering my removal. The ICE also tried to forcefully deport my husband on or about April 13, 2025. I am at risk for imminent removal.

(a) Did you exhaust all available administrative remedies relating to Ground One?

Yes xxNo

(b) If yes, did you present the issue to:

G The Board of Immigration Appeals

G The Office of General Counsel

G The Parole Commission

G Other: \_\_\_\_\_

(c) If you did not exhaust all available administrative remedies relating to Ground One, explain why: We were denied any opportunity to contest the negative determination

**GROUND TWO:** Any other relief that the Court deems just and proper, including an order to stay of removal pending the resolution of the class action motion and issues in RAICES v. Noem.

- (a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

The American Civil Liberties Union, National Immigrant Justice Center, Texas Civil Rights Project, Center for Gender & Refugee Studies (CGRS), ACLU of the District of Columbia, and ACLU of Texas filed the federal lawsuit on behalf of Las Americas Immigrant Advocacy Center, the Refugee and Immigrant Center for Education and Legal Services (RAICES), and the Florence Immigrant & Refugee Rights Project. RAICES V. NOEM, District of Columbia, 25-cv-306. The organizations are asking the court to declare the proclamation unlawful and stop the government from implementing it, so that people seeking asylum at our borders can fairly present their claims for protection, as required under our law. They requested that the Court should certify a nationwide class of noncitizens subjected to the President's Proclamation and the implementing Guidance while in the United States. This motion is pending. The Proclamation and Guidance invent out of whole cloth an extra-statutory "repatriation" regime that abrogates the safeguards that Congress enacted to protect people fleeing persecution, including asylum and withholding of removal. All members are subject to the same unlawful Proclamation and Guidance, which prevent them all from seeking asylum and other protection under the Immigration and Nationality Act ("INA"). If the plaintiff's motion is granted, we will be protected from deportation as a member of the class.

- (b) Did you exhaust all available administrative remedies relating to Ground Two?  
Yes G XXNo G

- (c) If yes, did you present the issue to:  
G The Board of Immigration Appeals  
G The Office of General Counsel  
G The Parole Commission  
G Other: \_\_\_\_\_

- (d) If you did not exhaust all available administrative remedies relating to Ground Two, explain why:

We a=were not allowed an opportunity to contest it.

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**Please answer these additional questions about this petition:**

8. Are you challenging your conviction or sentence in any of the grounds raised above? Yes G ~~XX~~No G  
(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective.)

If yes, answer the following:

(a) Have you filed a motion under 28 U.S.C. § 2255? Yes G ~~XXX~~No G

If yes, answer the following:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Explain why the remedy under § 2255 is inadequate or ineffective: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. If this case concerns immigration removal proceedings, answer the following:

(a) Date you were taken into immigration custody: February 17, 2025 \_\_\_\_\_

(b) Date of removal or reinstatement order: n/a \_\_\_\_\_

(c) Did you file an appeal with the Board of Immigration Appeals? Yes G ~~XX~~No G

(1) Date you filed: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(d) Did you file an appeal with the federal court of appeals? Yes G **XX**No G

(1) Name of the court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

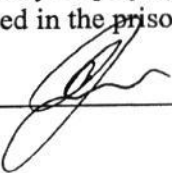
**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

10. Petitioner asks that the Court grant the following relief:

**Issuance of the Notice to Appear (NTA) and the opportunity to file my Asylum Application, seeking asylum, withholding and relief under the Convention Against Torture before an Immigration Judge; Alternatively, Stay of Removal pending resolution of Motion for Class Action Certification in Raices v. Noem;**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**or any other relief to which Petitioner may be entitled.** (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on May 27, 2025.

Signature of Petitioner \_\_\_\_\_  


Apr. 21. 2025 1:13PM

No. 0872 P. 1



U.S. Citizenship  
and Immigration  
Services

Applicant: **EKATERINA KUNITSKAIA**

A #



Officer: **Shayda Golshan**

Date of Determination: **Apr 14, 2025**

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**Convention Against Torture Assessment Notice For Alien(s) Whose Entry Has Been Suspended and/or Restricted Pursuant to INA §§ 212(f) and 212(a) (Rev. 01/31/2025)**

A Number



Last Name: **KUNITSKAIA**

First Name: **EKATERINA**

Interview Date: **2025-04-14**

Determination Date: **2025-04-14**

You were interviewed by a DHS asylum officer to determine whether it is more likely than not that you will be tortured in **RUSSIA**. The assessment made by the DHS asylum officer, indicated below, will be considered by DHS in determining whether you may be sent to **RUSSIA**. DHS will provide you with additional information regarding how you will be processed.

☐ You established it is more likely than not that you will be tortured in **RUSSIA**

☒ You did not establish it is more likely than not that you will be tortured in **RUSSIA**

*Enforcement and Removal Operations*

U.S. Department of Homeland Security  
1564 Gateway Road  
Calxico, CA 92231



U.S. Immigration  
and Customs  
Enforcement

MAY 6 5 2025

Alexandra Tseitlin  
Tseitlin Law Firm P.C.  
110 East 59<sup>th</sup> Street, 22FL  
New York, NY 10022

Dear Ms. Tseitlin:

This letter is in response to your correspondence dated April 22, 2025, requesting a stay of deportation or removal for your client KUNITSKAIA, Ekaterina A. [REDACTED]

Immigration and Customs Enforcement (ICE) has the authority and responsibility to consider a stay of deportation or removal and may exercise it in the ordinary course of enforcement.

After careful consideration of all the factors pertaining to your client, I have determined that a favorable exercise of stay of deportation or removal is not warranted. Your request for a Stay of Deportation or Removal is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Valenzuela".

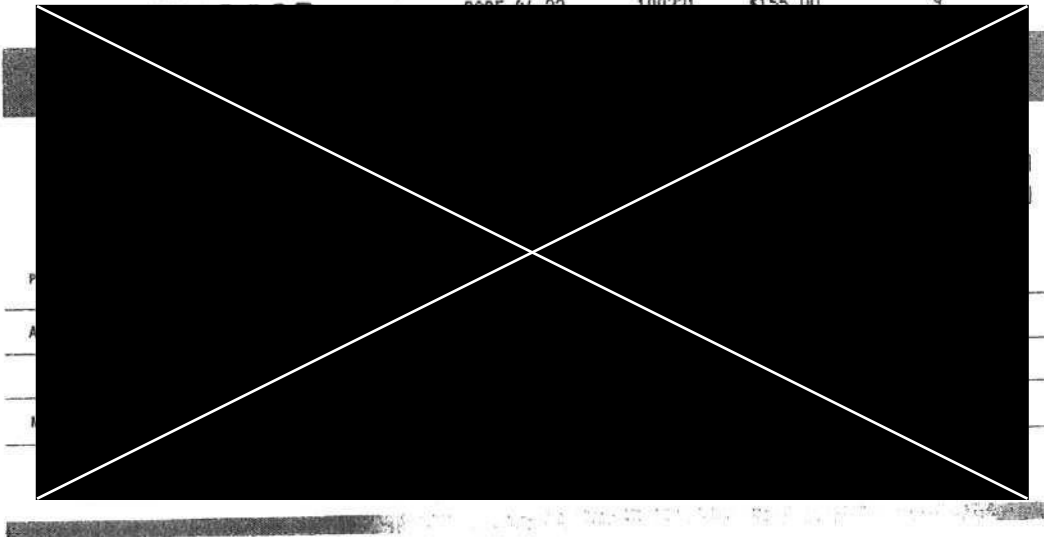
Fernando Valenzuela  
Assistant Field Office Director



## CUSTOMER'S RECEIPT

|                                                                                             |         |                               |                                          |
|---------------------------------------------------------------------------------------------|---------|-------------------------------|------------------------------------------|
| SEE BACK OF THIS RECEIPT<br>FOR IMPORTANT CLAIM<br>INFORMATION<br><b>NOT<br/>NEGOTIABLE</b> | Pay to  | <i>Department of Homeland</i> | KEEP THIS<br>RECEIPT FOR<br>YOUR RECORDS |
|                                                                                             | Address | <i>Security</i>               |                                          |

| Serial Number | Year, Month, Day | Post Office | Amount   | Clerk |
|---------------|------------------|-------------|----------|-------|
|               | 05/25/25         | 100231      | \$155.00 | 9     |



DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs EnforcementO/IAB No. 1653-0021  
Expires. 10/31/2027

## APPLICATION FOR A STAY OF DEPORTATION OR REMOVAL

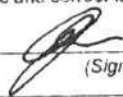
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|
| <b>Action Block - For ICE Use Only</b><br><input type="checkbox"/> GRANTED <input type="checkbox"/> One Year <input type="checkbox"/> Six Months <input type="checkbox"/> Three Months <input type="checkbox"/> Other: _____<br><input type="checkbox"/> DENIED <input type="checkbox"/> Denial letter attached.<br><input type="checkbox"/> REJECTED <input type="checkbox"/> Incorrect Fee <input type="checkbox"/> Application was not submitted in person <input type="checkbox"/> Other: _____<br><input type="checkbox"/> Additional information attached.<br>Date: _____ Decision made by: _____<br>(Printed Name/Title)<br>Deciding Official Signature: _____<br>(Sign in ink): _____ Office: _____ |  | <b>Fee/Date Stamp</b><br> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|

|                                                   |                                          |                                                                                                                                                                                     |                                                                                                                                                                                  |
|---------------------------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A-File Number<br>[REDACTED]                       | Date:<br>04/18/2025                      | If you are currently detained by ICE, provide the name of the detention facility:<br>Imperial Detention Facility                                                                    |                                                                                                                                                                                  |
| Last Name:<br>Kunitskaia                          | First Name:<br>Ekaterina                 | Middle Name:<br>Olegovna                                                                                                                                                            |                                                                                                                                                                                  |
| Address (Number and Street):<br>1572 Gateway Road |                                          | Country of Citizenship:<br>Russia                                                                                                                                                   | Passport No.: [REDACTED]    Expiration Date: [REDACTED]                                                                                                                          |
| Apartment Number:                                 |                                          | Length of stay requested:<br><input checked="" type="checkbox"/> One year <input type="checkbox"/> Six months <input type="checkbox"/> Three months <input type="checkbox"/> Other: |                                                                                                                                                                                  |
| Town/City:<br>Calxico                             | State:<br>CA                             | Zip Code:<br>92231                                                                                                                                                                  | Arrested by police or other law enforcement agency (other than for immigration reasons) <input type="checkbox"/> Yes - Documents attached <input checked="" type="checkbox"/> No |
| Telephone Number:<br>(760) 336-4601               | Cell Telephone Number:<br>(760) 336-4601 |                                                                                                                                                                                     |                                                                                                                                                                                  |

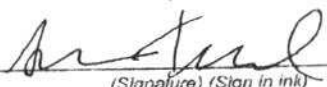
## REASON(S) FOR REQUESTING A STAY OF DEPORTATION OR REMOVAL:

|                                         |
|-----------------------------------------|
| See attached statement made post lineup |
|                                         |
|                                         |
|                                         |
|                                         |

## EVIDENCE SUBMITTED (attached):

|                                                                                                                                                                         |                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Medical <input type="checkbox"/> Brief <input checked="" type="checkbox"/> Other (specify):<br>CAT determination, reference letter; |                                                                                                                   |
| I certify under penalty of perjury that the information provided and contained herein is true and correct to the best of my knowledge and belief.                       |                                                                                                                   |
| Ekaterina Kunitskaia<br>(Printed Name)                                                                                                                                  | <br>(Signature) (Sign in ink) |

## INFORMATION IF FORM PREPARED BY OTHER THAN APPLICANT:

|                                                                                                                                                                                                                                                                                                                                     |                                                    |                                                                                                                   |                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------|
| I declare under penalty of law that this document was prepared by me at the request of the applicant and is based on all information of which I have knowledge. I understand that providing false information on behalf of the applicant could result in criminal prosecution and, upon conviction, a fine or imprisonment or both. |                                                    |                                                                                                                   |                                |
| Tseitlin Law Firm P.C. - Alexandra Vera Tseitlin                                                                                                                                                                                                                                                                                    |                                                    |                                                                                                                   |                                |
| (Printed Name)                                                                                                                                                                                                                                                                                                                      |                                                    | <br>(Signature) (Sign in ink) |                                |
| 212-944-7434<br>(Telephone Number)                                                                                                                                                                                                                                                                                                  | 110 East 59th Street, Floor 22<br>(Street Address) | New York<br>(City)                                                                                                | NY 10022<br>(State) (Zip Code) |

Apr. 21. 2025 1:13PM

No. 0872 P. 1



**U.S. Citizenship  
and Immigration  
Services**

Applicant: **EKATERINA KUNITSKAIA**  
A#

Officer: **Shayda Golshan**  
Date of Determination: **Apr 14, 2025**

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**Convention Against Torture Assessment Notice For Alien(s) Whose Entry Has Been Suspended and/or Restricted Pursuant to INA §§ 212(f) and 212(a) (Rev. 01/31/2025)**

A Number:

Last Name: **KUNITSKAIA**

Interview Date: **2025-04-14**

First Name: **EKATERINA**

Determination Date: **2025-04-14**

You were interviewed by a DHS asylum officer to determine whether it is more likely than not that you will be tortured in **RUSSIA**. The assessment made by the DHS asylum officer, indicated below, will be considered by DHS in determining whether you may be sent to **RUSSIA**. DHS will provide you with additional information regarding how you will be processed.

- ☐ You established it is more likely than not that you will be tortured in **RUSSIA**  
☒ You did not establish it is more likely than not that you will be tortured in **RUSSIA**

Re: Maksim KUNITSKII A [REDACTED] and Ekaterina KUNITSKAIA A [REDACTED]

On or about February 17, Mr. Kunitskii and Ekaterina Kunitskaia, his wife, both citizens of Russia, entered the United States and expressed fear of persecution, if they were returned to Russia. They were awaiting their CBPOne appointment in Mexico until January 20, 2025. They were detained at the border. Mr. Kunitskii is of Ukrainian ethnicity, will be forced to fight in Ukraine and kill his own people. Both were arrested in Russia for expressing their political opinion. Mr. Kunitskii was interviewed and issued a negative Convention Against Torture Assessment (CAT) on March 5, 2025, and Ms. Kunitskaia received a negative determination on April 14, 2025. Both spouses are at risk of removal. Mr. Kunitskii was scheduled to be removed to Russia on April 13, 2025. He did not board the plane.

On January 20, 2025, President Trump issued several executive orders concerning immigration enforcement in the interior of the United States and at the border, including a proclamation titled "Guaranteeing the States Protection Against Invasion." The proclamation invokes a provision of the Immigration and Nationality Act—Section 212(f)—to "suspend the entry" of noncitizens at the U.S. southern border. The proclamation also cites Article IV, Section 4 of the U.S. Constitution to claim that the president can override immigration laws passed by Congress to protect individual states from "invasion." Through this proclamation, President Trump is attempting to shut down access to asylum at the southern border, even though the law is clear that people seeking safety have the right to ask for protection. Seeking asylum is legal. President Trump's illegal proclamation violates the Immigration and Nationality Act and several other laws passed by Congress, under which any noncitizen who is inside or arriving in the United States may legally apply for asylum. Additionally, under both domestic law and international treaties with which our government is obligated to comply, the United States may not return people to countries where they are likely to face persecution or torture. At a minimum, immigration officers must refer people who express a desire to seek asylum or fear of return for a screening interview with an asylum officer to determine whether they may qualify for protection.

*The American Civil Liberties Union, National Immigrant Justice Center, Texas Civil Rights Project, Center for Gender & Refugee Studies (CGRS), ACLU of the District of Columbia, and ACLU of Texas filed the **federal lawsuit** on behalf of Las Americas Immigrant Advocacy Center, the Refugee and Immigrant Center for Education and Legal Services (RAICES), and the Florence Immigrant & Refugee Rights Project. RAICES V. NOEM, District of Columbia, 25-cv-306*

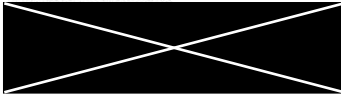
The organizations are asking the court to declare the proclamation unlawful and stop the government from implementing it, so that people seeking asylum at our borders can fairly present their claims for protection, as required under our law.

They requested that the Court should certify a nationwide class of noncitizens subjected to the President's Proclamation and the implementing Guidance while in the United States. This motion is pending. The Proclamation and Guidance invent out of whole cloth an extra-statutory "repatriation" regime that abrogates the safeguards that Congress enacted to protect people fleeing persecution, including asylum and withholding of removal. All members are subject to the same unlawful Proclamation and Guidance, which prevent them all from seeking asylum and other protection under the Immigration and Nationality Act ("INA").

The next hearing is set for April 29, 2025. If the plaintiff's motion is granted, Mrs. Kunitskaia and Mr. Kunitskii will be protected from deportation as a member of the class.

As a result, we are requesting that his removal be stayed pending the resolution of the lawsuit in RAICES v. Noem for a period of no longer than one year.

Ruslan Huahua



To Whom It May Concern,

My name is Ruslan Huahua, I was born in Russia on [REDACTED]. I am a naturalized U.S. citizen residing at [REDACTED]

I am writing to express my full support to Ekaterina Kunitskaia (Date of Birth: [REDACTED]) currently detained in ICE custody at the Imperial Regional Detention Facility and Maksim Kunitski (Date of Birth: [REDACTED]) currently in ICE custody at Eloy Detention Center.

I am confirming my ability and willingness to support Ekaterina Kunitskaia and Maksim Kunitski. I have known Ekaterina since her childhood, as I have been good friends with her mother, Evgenia Vdovichenko. I learned that they fled Russia due to government persecution for their opposition and anti-war activities, and I immediately expressed my willingness to support them. Maksim is ethnically Ukrainian, which would make him a target for persecution in Ukraine.

Ekaterina and Maksim possess strong personal qualities - they are reliable, responsible, law-abiding, and committed to their principles. I take full responsibility for providing for them and ensuring that they attend all court hearings as required.

I certify that the above statements are true and correct.

Sincerely,

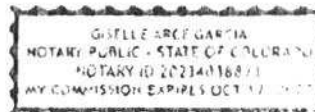
Ruslan Huahua

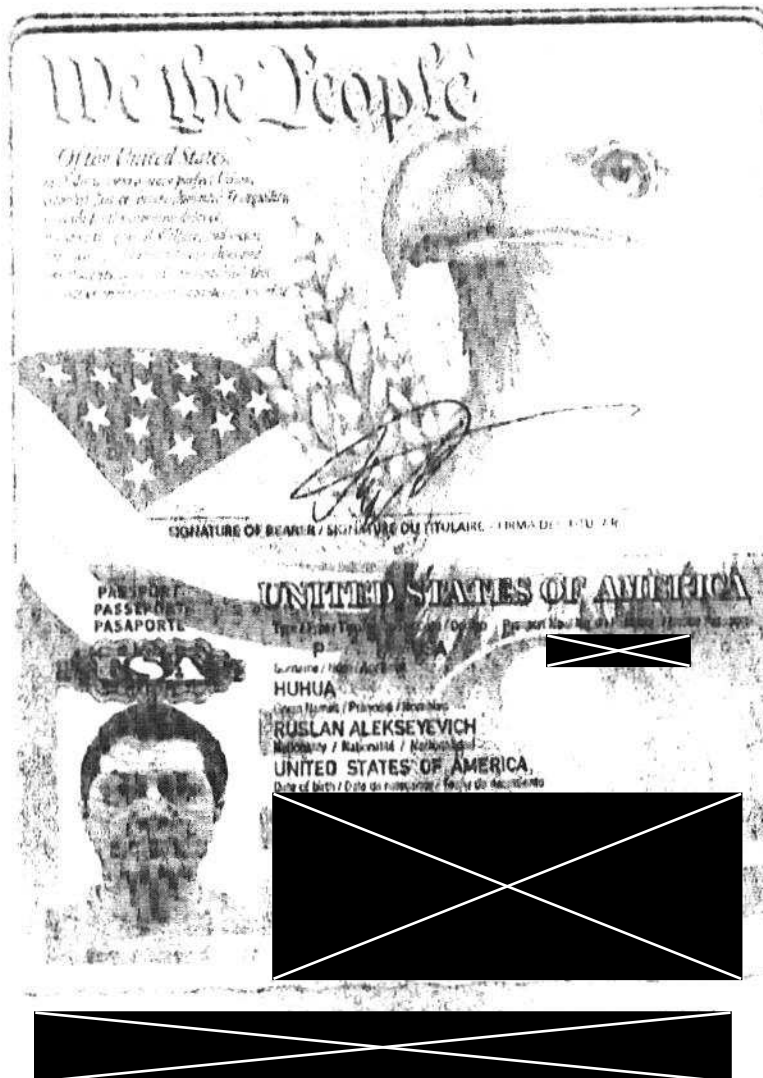
State of Colorado

County of Adams

The foregoing instrument was acknowledged before me this 22 day of April 2025 by Ruslan Huahua

Notary Public





Saint Petersburg State Healthcare Institution  
CLINICAL RHEUMATOLOGY HOSPITAL No. 25  
zipcode 190068 St. Petersburg Bolshaya Podyacheskaya str., 30  
Genetic engineering biological therapy office

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8(812)670-11-95

hospital reception (812)670-30-90  
paid services (812) 670-30-80

HOSPITAL ADVISORY OPINION No. 

Full name **Kunitskaia Ekaterina Olegovna**  
Date of birth 

Aged 30

**Basis DS:** psoriatic spondylitis, bilateral sacroiliitis stage 1. not associated with HLA D 27, activity low (BASDAI=1.0), FC 1.

**Concomitant DS:** Limited psoriasis, stationary stage. Distal catarrhal reflux - esophagitis.  
Superficial antral gastritis, outside of exacerbation.

**RECOMMENDATIONS** Regime: therapeutic exercises every day for 15-20 minutes (!), massage courses, avoid mechanical overload of joints and spine, cooling, contrasting temperature effects, prolonged standing and long walking.

#### **BASIC THERAPY**

Certolizumab pegol 200 mg 2 syringes subcutaneously once every 4 weeks. In case of infection, certolizumab pegol should be discontinued for the period of infectious manifestations.

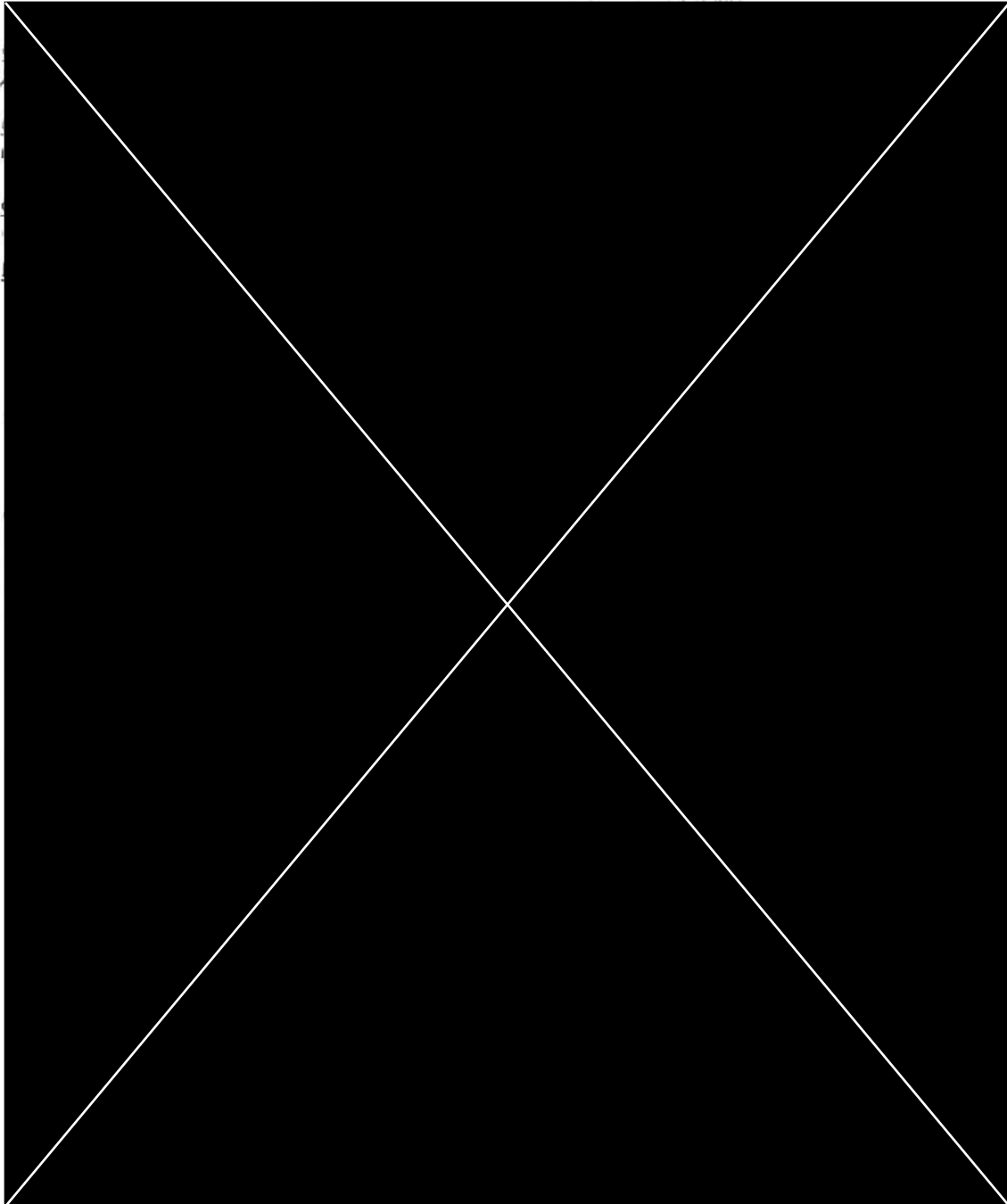
Examination before continuing therapy with genetically engineered biological drugs (shelf life 6 months): - chest X-ray in two projections.

- ANTI-HCV, HBsAG
- antibodies to HBCor Ag (total) - for hepatitis B
- R W / microreaction
- F - 50 hiv analysis
- Diaskin - Test or T - SPOT test + conclusion of a phthisiologist
- conclusion of a gynecologist (once a year)

#### **Additionally**

- control of a clinical blood test, ALT, AST, creatinine, CRP, general urine analysis, every 2 weeks during the first 2 months, then every three months

Санкт-Петербургское государственное бюджетное учреждение здравоохранения  
«КЛИНИЧЕСКАЯ РЕВМАТОЛОГИЧЕСКАЯ БОЛЬНИЦА №25»  
190068, Санкт-Петербург, ул. Бодякина Промышленная 36 www.krb25.ru  
Кабинет генетико-инженерной биологической германологии  
регистрат. № 8812, 610-30-96  
телефон: 812-610-27-89



Врач

Имя: Сорокина

Сорокина Любовь Евгеньевна

Дата обследования: