

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

ZAREFARD, Alireza

Petitioner,

v.

NEW ORLEANS FIELD OFFICE for the U.S.
IMMIGRATION AND CUSTOMS ENFORCEMENT;
NOEM, KRISTI, U.S. DEPARTMENT OF HOMELAND
SECURITY; BONDI, PAM, Attorney General of the
UNITED STATES of AMERICA; and WARDEN of
RIVER CORRECTIONAL CENTER

Respondents.

Case No.: 1:25-cv-895

**VERIFIED PETITION
FOR WRIT OF HABEAS
CORPUS AND
COMPLAINT FOR
INJUNCTIVE AND
DECLARATORY RELIEF**

**ORAL ARGUMENT
REQUESTED**

COME NOW Petitioner, Alireza Zarefard, for his Petition for a Writ of Habeas Corpus and Complaint against Respondents allege as follows:

PRELIMINARY STATEMENT

1. Petitioner, Alireza Zarefard, (hereinafter referred to as “Petitioner” or “Mr. Zarefard”) brings this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241; the All Writs Act, 28 U.S.C. § 1651; and Article I, Section 9, Clause 2 of the United States Constitution (Suspension Clause).
2. Mr. Zarefard’s continued detention well past 180 days violates the Immigration and Nationality Act (“INA”) and its regulations, the Administrative Procedures Act (“APA”), and the U.S. Constitution’s Due Process guarantee. Unless habeas relief or immediate injunctive relief is granted, a Mr. Zarefard remains in detention with no end in sight.

3. Pursuant to this Court's inherent powers in habeas proceedings, Mr. Zarefard respectfully requests this Court to order his release from custody, or in the alternative, effectuate his removal to his native country of Iran.
4. Mr. Zarefard is a citizen of Iran born on  He entered the country on or about April 24, 2024 at San Ysidro, California.
5. Mr. Zarefard was taken into custody upon entry and detained at Adams County Correctional Center in Natchez, Missouri, after which he was placed in expedited removal proceedings. On April 24, 2024, he was given a credible fear interview, of which he did not receive a positive determination.
6. On May 14, 2024, Mr. Zarefard was given a reasonable fear interview, of which he received a positive determination. As a result, he was issued a Notice to Appear (NTA) dated May 23, 2024, which placed him in removal proceedings.
7. On May 31, 2024, Mr. Zarefard was transferred to River Correctional Center in Ferriday, Louisiana, where he remains today.
8. On July 30, 2024, Mr. Zarefard's I-589 Application for Asylum, Withholding of Removal, and Protection under the Convention Against the Torture was denied. His application for pre-conclusion and post-conclusion voluntary departure was also denied. Consequently, Mr. Zarefard was ordered removed to Iran.
9. On October 28, 2024, after 180 days in detention had passed, Petitioner's immigration counsel submitted an urgent request for custody review pursuant to 8 C.F.R. § 241.4 and 8 C.F.R. § 241.13.
10. On January 20, 2025, a Post-Order Custody Review (POCR) was conducted by U.S. Immigration and Customs Enforcement (ICE). Unfortunately, although Mr. Zarefard's

testimony proved that he should be released, that custody review resulted in Mr. Zarefard not being released and instead remaining in detention.

11. As of this petition, it has been over 400 days that Mr. Zarefard has been in detention, and over 330 days since the removal order was issued. Nonetheless, Mr. Zarefard has not been released or removed to Iran.
12. Mr. Zarefard therefore hereby seeks a Petition for Writ of Habeas Corpus to immediately release him from detention by Respondents, or in the alternative, remove him to his native country of Iran.
13. Without this Court's intervention, Respondents will continue to unlawfully detain Mr. Zarefard, with no possibility of resolution.

JURISDICTION AND VENUE

14. This Court has subject matter jurisdiction over this Petition pursuant to 28 U.S.C. § 2241; 28 U.S.C. § 1331; Article I, § 9, cl. 2 of the United States Constitution; the All Writs Act, 28 U.S.C. § 1651; the Administrative Procedure Act, 5 U.S.C. § 701.
15. This Court has authority to grant declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202, 5 U.S.C §§ 702 and 706 and Rule 57 of the Federal Rules of Civil Procedure.
16. This Court has authority to grant injunctive relief in this action pursuant to 5 U.S.C. §§ 702 and 706, and Rule 65 of the Federal Rules of Civil Procedure.
17. Petitioner's current detention as enforced by Respondents constitutes a "severe restraint on Petitioner's individual liberty," such that Petitioner is "in custody in violation, of the laws of the United States." *Hensley v. Municipal Court*, 411 U.S. 345,351 (1973); 28 U.S.C. § 2241.

18. While the courts of appeals have jurisdiction to review removal orders directly through petitions for review, *see* 8 U.S.C. § 1252(a)(1), (b), the federal district courts have jurisdiction under 28 U.S.C. § 2241(d) to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of Immigration and Customs Enforcement's ("ICE") conduct. *See, e.g., Demore v. Kim*, 538 U.S. 510, 516-517 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).
19. Venue is proper in the Western District of Louisiana under 28 U.S.C. § 1391 because Petitioner is presently detained in River Correctional Center under the authority of the U.S. Immigration and Customs Enforcement – New Orleans Field Office. No binding precedent applicable to immigration detainees, nor the habeas statute, indicate that venue is not proper in the Western District of Louisiana. *See* 28 U.S.C. § 2241. This Court has jurisdiction over all Respondents, each of whom is a proper respondent under 28 U.S.C. § 2243.

EXHAUSTION OF REMEDIES

20. No exhaustion requirement applies to the constitutional claims raised in this Petition, because no administrative agency exists to entertain Petitioner's constitutional challenges. *See Howell v. INS*, 72 F.3d 288, 291 (2d Cir. 1995); *Arango-Aradondo v. INS*, 13 F.3d 610, 614 (2d Cir. 1994).
21. While no exhaustion requirement applies to this Petition, it is important to note that Petitioner has exhausted all administrative avenues to secure his release from detention or have his removal effectuated to his native country of Iran.
22. Petitioner filed an I-589 Application for Asylum, Withholding of Removal, and Protection under the Convention Against Torture, but it was denied on July 30, 2024. Petitioner's

applications for pre and post removal voluntary departure were also denied on that same date.

23. After 180 days had elapsed, Petitioner's immigration counsel requested a POCR, but Petitioner remains in detention and has not been removed to his native country of Iran.
24. As such, Petitioner has exhausted all remedies available to him.

PARTIES

Petitioner

25. Petitioner Alireza Zarefard is a national and citizen of Iran. Mr. Zarefard has been residing in the United States since April 24, 2024.

Respondents

26. Respondent U.S. Immigration and Customs Enforcement ("ICE") is a law enforcement agency of the federal government of the United States tasked to enforce the immigration laws of the United States. ICE is charged with detaining and removing individuals from the United States under the authority and direction of the United States Department of Homeland Security.
27. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (hereinafter "DHS"). As Secretary of DHS, Secretary Noem is responsible for the general administration and enforcement of the immigration laws of the United States. Respondent Secretary Noem is being sued in her official capacity.
28. Respondent United States Department of Homeland Security is the agency responsible for the administration and enforcement of the immigration laws of the United States. Respondent United States Department of Homeland Security has the legal authority to

detain or release Petitioner due to the authority conferred by the Attorney General of the United States.

29. Respondent Pam Bondi is the Attorney General of the United States. In this capacity, she is responsible for the administration of the immigration laws as exercised by the Executive Office for Immigration Review. Respondent Bondi is legally responsible for administering Petitioner's removal proceedings and the standards used in those proceedings, and, as such, is a legal custodian of Petitioner. Respondent Bondi is being sued in her official capacity.
30. The Warden of River Correctional Center. Respondent Warden is charged with the overall administration of the River Correctional Center. ICE utilizes the correctional facility to detain immigrants in their custody. Respondent Warden of River Correctional Center is being sued in his official capacity.

STATEMENT OF FACTS

31. Mr. Zarefard is a citizen of Iran born on  He entered the country on or about April 24, 2024 at San Ysidro, California.
32. Mr. Zarefard was taken into custody upon entry, at which time he told immigration officials that he feared for his life in Iran and wanted to apply for asylum. He was detained at Adams County Correctional Center in Natchez, Missouri, after which he was placed in expedited removal proceedings.
33. On April 24, 2024, he was given a credible fear interview, of which he did not receive a positive determination. Mr. Zarefard expressed during this interview that he was afraid of returning to Iran because he had converted from Shia Islam to Christianity and protested against the Iranian government, suffering extreme physical violence as a result. Therefore,

he feared persecution in Iran on behalf of his religion. The interviewing officer found that Mr. Zarefard was credible and had established a nexus to the protected category of religion, requirements for being found to have a credible fear of persecution.

34. However, the interviewing officer ultimately found that Mr. Zarefard was subject to the conditions on asylum eligibility under 8 C.F.R. § 208.33(a), and therefore had not established a credible fear of persecution with respect to his application for asylum.
35. On May 14, 2024, Mr. Zarefard was given another opportunity to seek asylum relief. He was given a reasonable fear interview, of which he received a positive determination. The interviewing officer found that Mr. Zarefard established that he had experienced past harm in Iran, specifically harassment, threats, physical beatings, and torture by the Iranian government. The officer found that the presumption of past persecution had not been rebutted and that the persecution was based on the protected ground of religion, in this case Christianity. Mr. Zarefard expressed a fear of returning to Iran on account of his religious beliefs. In his final analysis, the officer found that there was a reasonable possibility that Mr. Zarefard could establish in a full hearing that he suffered past persecution on the basis of his religion as well as his political opinion.
36. As a result of the positive reasonable fear determination, Mr. Zarefard was issued a Notice to Appear (NTA) dated May 23, 2024, which placed him in removal proceedings.
37. On May 31, 2024, Mr. Zarefard was transferred to River Correctional Center in Ferriday, Louisiana, where he remains today.
38. Mr. Zarefard filed his I-589 application before the Jena, Louisiana Immigration Court. Unfortunately on July 30, 2024, Mr. Zarefard's I-589 Application for Asylum, Withholding of Removal, and Protection under the Convention Against the Torture was denied. His

application for pre-conclusion and post-conclusion voluntary departure was also denied.

Consequently, Mr. Zarefard was ordered removed to Iran.

39. On October 28, 2024, after 180 days in detention had passed, Petitioner's immigration counsel submitted an urgent request for custody review pursuant to 8 C.F.R. § 241.4 and 8 C.F.R. § 241.13.

40. On January 20, 2025, a Post-Order Custody Review (POCR) was conducted by U.S. Immigration and Customs Enforcement (ICE). Unfortunately, that custody review resulted in Mr. Zarefard not being released and instead remaining in detention. It should be noted that during this interview, Mr. Zarefard gave no testimony to show that there was a significant likelihood of removal in the foreseeable future. This should come as no surprise, as the U.S. and Iran do not have diplomatic relations. Furthermore, he gave no testimony to support a finding that he is a flight risk or danger to the community. He rightfully fears returning to Iran, has family in the United States, and has no criminal history. Nonetheless, he unjustly remains in custody.

41. As of this petition, it has been over 400 days that Mr. Zarefard has been in detention, and over 330 days since the removal order was issued. Nonetheless, Mr. Zarefard has not been released or removed to Iran. Furthermore, Respondents have not shown that they will be able to remove Petitioner to Iran, which is highly unlikely, given that there are no diplomatic relations between Iran and the United States. It seems as though Respondents are determined to unlawfully keep Petitioner in custody and have no plan to effectuate his removal, putting him in a state of perpetual detention.

42. Mr. Zarefard therefore hereby seeks a Petition for Writ of Habeas Corpus to immediately release him from detention by Respondents, or in the alternative, remove him to his native country of Iran.
43. Without this Court's intervention, Respondents will continue to unlawfully detain Mr. Zarefard, with no possibility of resolution.

LEGAL FRAMEWORK

A. Right to Due Process and the 90-Day Removal Period and the 180-Day Removal Period

44. It is well established that the "Fifth Amendment entitles aliens to due process of Law[.]" *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). "Freedom of imprisonment from government custody, detention, or other forms of physical restraint lies at the heart of the liberty that the Due Process Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also Id.* at 718 (Kennedy, J., dissenting) ("Liberty under the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention.").
45. Due process therefore requires "adequate procedural protections" to ensure that the government's asserted justification for its conduct infringing on protected interests "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Id.* at 690 (internal quotation marks omitted).
46. In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: (1) to mitigate the risks of danger to the community; and (2) to prevent flight. *Demore*, 538 U.S. at 528.

47. Other than as punishment for a crime, due process permits the government to take away liberty only “in certain special and narrow non-punitive circumstances where a special justification outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (internal quotations omitted). Such special justification exists only where a restraint on liberty bears a “reasonable relation” to permissible purposes. *Jackson v. Indiana*, 406 U.S. 715, 738 (1972); *see also Foucha v. Louisiana*, 504 U.S. 71, 79 (1992); *Zadvydas*, 533 U.S. at 690.
48. In the immigration context, those purposes are “ensuring the appearance of aliens at future immigration proceedings and preventing danger to the community.” *Zadvydas*, 533 U.S. at 690 (quotations omitted).
49. Those substantive limitations on detention are closely intertwined with procedural due process protections. *Foucha*, 504 U.S. 78-80. Noncitizens have a right to adequate procedures to determine whether their detention in fact serves the purposes of ensuring their appearance or protecting the community. *Id* at 79; *Zadvydas*, 533 U.S. 692; *Casas-Castrillon v. Dep’t of Homeland Sec.*, 535 F.3d 942, 949 (9th Cir. 2008). Where laws and regulations fail to provide such procedures, the habeas court must assess whether the noncitizen’s immigration detention is reasonably related to the purposes of ensuring her appearance or protecting the community. *Zadvydas*, 533 U.S. at 699.
50. If ICE is unable to deport an individual within 90 days after a final order of removal, ICE must conduct custody review procedures in line with *Zadvydas* to consider whether that individual can be removed in the “reasonably foreseeable future.” 68 C.F.R. § 241.4(k). *See also* Memo, Hutchinson, Undersecretary DHS (Mar. 30, 2004), “Guidance on ICE Implementation of Policy and Practice Changes Recommended by the Department of

Justice Inspector General,” reprinted in 81 No. 16 Interpreter Releases 513, 528-532 (Apr. 19, 2004). According to *Zadvydas*, of course, detainees who cannot be removed in the reasonably foreseeable future must be released from detention.

51. If an individual is not released after the 90-day custody review, he or she will be detained for [at least] another 90 days, as ICE is allowed up to six months to try to deport the individual. Near the end of the 180-day custody period, ICE is required to do another custody review to determine whether to release the detainee.
52. **The Post-Order Custody Review (POCR) is governed by the regulations under 8 C.F.R. § 241.13. If detention continues beyond 180 days, ICE must assess whether there is a significant likelihood of removal in the foreseeable future. If ICE cannot demonstrate this likelihood, the individual is generally entitled to be released under certain conditions, unless they are a flight risk or danger to the community.**

B. Right to Petition for Writ of Habeas Corpus

53. A Petition for a Writ of Habeas corpus may be brought by anyone “in *custody* in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3).
54. As the Constitution states, “[t]he Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the Public Safety may require it.” *See* U.S. Const. art. I, § 9 cl. 2. Habeas corpus thus is a bedrock Constitutional right that our Founding Fathers considered to be important at the creation of our Republic. Presently, its contours are set forth in the habeas corpus statutes, which grant federal courts jurisdiction to review the legality of a detention, and, if warranted, to order release of a petitioner. *See* 28 U.S.C. §§ 2241-2243.

55. The writ is the “fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.” *Harris v. Nelson*, 394 U.S. 286, 291 (1969). “The scope and flexibility of the writ - its capacity to reach all manner of illegal detention - its ability to cut through barriers of form and procedural mazes -have always been emphasized and zealously guarded by courts and lawmakers.” *Id.* Hence, “the very nature of the writ demands that it be administered with the initiative and *flexibility* essential to insure the miscarriages of justice within its reach are surfaced and corrected.” *Id.* (emphasis added).
56. Because of the vital role the writ plays in our democracy, and since the petitioner is often in custody, “usually handicapped in developing the evidence needed to support in necessary detail the facts alleged in [a] petition,” the Supreme Court has repeatedly recognized that “a habeas corpus proceeding must *not* be allowed to flounder in a ‘procedural morass’” *Price v. Johnston*, 334 U.S. 266, 269 (1948). Indeed, “[t]here is no higher duty of a court, under our constitutional system, than the careful processing and adjudication of petitions for writs of habeas corpus, for it is in such proceedings that a person in custody charges that error, neglect, or evil purpose has resulted in his unlawful confinement and that he is deprived of his freedom contrary to law.” *Harris*, 394 U.S. at 291-292.

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

**PETITIONER'S DETENTION VIOLATES THE IMMIGRATION AND
NATIONALITY ACT AND APPLICABLE REGULATIONS
(As to All Respondents)**

57. The allegations set forth in Paragraphs 1 through 56 are repeated and incorporated as fully set forth herein.
58. Petitioner has been in immigration detention for over 400 days, surpassing the 180-day removal period. Petitioner was given a POCR, however he remains in custody and has not been removed to Iran. This is despite the fact that ICE has not demonstrated that there is a significant likelihood of removal in the foreseeable future, that Petitioner is a flight risk, or that he is a danger to the community. These actions are in violation of the INA and applicable regulations.
59. Respondents' unlawful actions have caused and continue to cause Petitioner significant prejudice by depriving him of his liberty and exercise of his statutory and constitutional due process rights.
60. As a proximate result of Respondents' statutory violations, Petitioner is suffering and will continue to suffer a significant deprivation of his liberty without due process of law.
61. Petitioner has no adequate or complete remedy at law to address the wrongs described herein. The injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future irreparable injury.

SECOND CAUSE OF ACTION
PETITIONER'S DETENTION VIOLATES THE
FOURTH AMENDMENT OF THE U.S. CONSTITUTION
(As to All Respondents)

62. The allegations set forth in Paragraphs 1 through 61 are repeated and incorporated as fully set forth herein.
63. Respondents' actions of continuing to hold Petitioner in detention past the 180-day limit despite not being able to illustrate a significant likelihood of removal in the foreseeable future, that he is a flight risk, or that he is a danger to the community unreasonably deprives Petitioner of his liberty in violation of the Fourth Amendment.
64. The U.S. government does not have the diplomatic ties with Iran to effectuate removal of Petitioner. Additionally, Respondent has family in the United States and has a legitimate fear of returning to the country where he was persecuted, a finding that an asylum officer made when Petitioner was given a positive reasonable fear determination, so he is not a flight risk. Furthermore, Petitioner has no criminal history, so he is not a danger to the community.
65. As a proximate result of Respondents' unconstitutional behavior and detention policies, practices, acts, and omissions, Petitioner is suffering and will continue to suffer an unreasonable deprivation of his liberty without any legal recourse.
66. Petitioner has no adequate or complete remedy at law to address the wrongs described herein. The injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future irreparable injury.

THIRD CAUSE OF ACTION
PETITIONER'S DETENTION VIOLATES DUE PROCESS '
UNDER THE FIFTH AMENDMENT OF THE U.S. CONSTITUTION
(As to All Respondents)

67. The allegations set forth in Paragraphs 1 through 66 are repeated and incorporated as fully set forth herein.
68. Respondents' detention of Petitioner for over 400 days, of which over 330 days have elapsed after the removal order was issued, causes Petitioner to suffer significant pain and suffering and substantial prejudice in violation of the Due Process Clause of the Fifth Amendment.
69. As a proximate result of Respondents' unconstitutional detention, Petitioner is suffering and will continue to a significant deprivation of their liberty without due process of law as well as physical, emotional, and psychological harm.
70. Petitioner has no adequate or complete remedy at law to address the wrongs described herein. Petitioner's detention violates the Fifth Amendment Due Process Clause of the U.S. Constitution.
71. Accordingly, the injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future injury.

FOURTH CAUSE OF ACTION
PETITIONER'S DETENTION AND REMOVAL VIOLATES THE
ADMINISTRATIVE PROCEDURE ACT 5 U.S.C. §706(2)
(As to All Respondents)

72. The allegations set forth in Paragraphs 1 through 71 are repeated and incorporated as fully set forth herein.
73. Under the Administrative Procedures Act, “final agency action for which there is no other adequate remedy in a court [is] subject to judicial review.” 5 U.S.C. § 704. The reviewing court “shall hold unlawful and set aside agency action, findings, and conclusions found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law,” or “unsupported by substantial evidence.” 5 U.S.C. §§ 706(2)(A),(E).
74. A court reviewing agency action “must assess whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment”; it must “examin[e] the reasons for agency decisions or, as the case may be, the absence of such reasons.” *Judulang v. Holder*, 565 U.S. 42, 53 (2011) (quotations omitted).
75. Petitioner’s continued detention past the removal period violates the INA and is arbitrary and capricious under the APA.
76. Respondents’ actions are “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law” and “in excess of statutory jurisdiction, authority or limitations, or short of statutory right.” 5 U.S.C. §706(2)(C).

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Order Petitioner's immediate release from custody;
2. Issue a Writ of Habeas Corpus ordering Petitioner's release from immigration detention pending final resolution of this habeas proceeding, specifically on whether Petitioner will be given a fair custody redetermination hearing and permanently released or removed to his native country of Iran;
3. Issue a declaration that Respondents' detention policies, practices, acts, and omissions described herein as applied to the Petitioner are unlawful and exceed Respondents' constitutional and statutory authority in violation of 5 U.S.C. §§ 706(2)(A)—(D);
4. Issue a declaration that Respondents' detention policies, practices, acts, and omissions described herein are unlawful and violate Petitioner's rights under the Fourth Amendment to the United States Constitution;
5. Issue a declaration that Respondent's detention policies, practices, acts, and omissions described herein are unlawful and violate Petitioner's rights under the Fifth Amendment to the United States Constitution;
6. Permanently enjoin Respondents, their subordinates, agents, employees, and all others acting in concert with them from subjecting Petitioner to these statutory violations and unconstitutional detention policies, practices, acts and omissions described herein, and issue injunctive relief sufficient to rectify those statutory and constitutional violations;
7. Award compensatory and punitive damages to Petitioner for Respondents' violations of constitutional law, which caused Petitioner to suffer and continue to suffer physical and emotional harm, in an amount that is fair, just, and reasonable; and
8. Grant such further relief as the Court deems just and proper.

Dated: June 24, 2025

Respectfully submitted,

/s/ Kishen Barot
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Email: kbarot@barrelaw.com
Attorney for Petitioner

CERTIFICATE OF SERVICE

I, Kishen Y. Barot, Esq., hereby certify that on June 24, 2025 I caused a copy of *Petitioner's Verified Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declarative Relief* and any attached documents to be served upon Respondents' Counsel, the United States Attorneys' Office for the Western District of Louisiana at 300 Fannin Street, Suite 3201 Shreveport, LA 7110.

Dated: June 24, 2025

Respectfully submitted,

/s/ Kishen Barot

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Attorney for Petitioner

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Alireza Zarefard

(b) County of Residence of First Listed Plaintiff Concordia Parish
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kishen Y. Barot, Esq.

Barre Law

30 Broad Street, 14th Fl. New York, New York 10004

DEFENDANTSNew Orleans Field Office for ICE, Kristi Noem for U.S. DHS,
U.S. AG Pam Bondi, Warden of River Correctional Center

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

U.S. Attorneys' Office for the Western District of Louisiana
300 Fannin Street, Suite 3201 Shreveport, LA 7110**II. BASIS OF JURISDICTION (Place an "X" in One Box Only)**

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business in This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business in Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS ☐ Habeas Corpus; ☒ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty ☐ Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. § 2241; the All Writs Act, 28 U.S.C. § 1651; and Article I, Section 9, Clause 2 of the United States Constitution (Suspension Clause).

Brief description of cause:

Plaintiff brings this action for unlawful detention.

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

06/24/2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Kishen Barot

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE