

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 25-cv-22914-RAR

EDMOND GRIGORIAN,
Petitioner,

v.

U.S. ATTORNEY GENERAL, et al.,
Respondents.

PETITIONER'S NOTICE IN SUPPORT OF FURTHER PROCEEDINGS

Pursuant to the Court's July 3, 2025 Order [ECF No. 9], Petitioner Edmund Grigorian, through undersigned counsel, respectfully submits this Notice to advise the Court that further proceedings remain necessary and to reassert the need for immediate emergency relief in the form of a Temporary Restraining Order (TRO), pursuant to Fed. R. Civ. P. 65(b) and the Court's equitable powers under 28 U.S.C. § 2241.

Based on the government's position, the undersigned respectfully requests the Court to enter a temporary restraining order enjoining the defendants from continuing to detain Mr. Grigorian. He is not within the 90-day removal periodⁱ, no third country has been identifiedⁱⁱ, and he has never violated his Order of Supervisionⁱⁱⁱ.

Therefore, the Petitioner respectfully requests that the Court:

1. Grant the Emergency Motion for Temporary Restraining Order and order release under any and all reasonable conditions set by ICE-ERO.

In the alternative, Petitioner respectfully requests that the Court:

2. Compel Respondents to not remove the Petitioner from the jurisdiction of this Court;

3. Compel Respondents to keep Petitioner in the physical custody of Krome North Service Processing Center to ensure continued in person access to counsel;
4. Compel Respondents to immediately notify the Petitioner *and* Counsel of the identification of an alternative third country for removal and schedule a hearing in front of an Immigration Judge with proper notice and a meaningful opportunity to present a claim under CAT for that specific country pursuant to 8 C.F.R. § 1240.10(f);
5. Enjoin Respondents from interviewing Petitioner without providing sufficient notice and the opportunity for the undersigned counsel to be present;
6. Expedite the briefing schedule to litigate the merits of the Petition for Writ of Habeas Corpus.^{iv}

Respectfully submitted this 8th day of July, 2025.

/s/ Linda Osberg-Braun
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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record. A courtesy copy was also emailed to opposing counsel at:

Carlos Javier Raurell
Assistant U.S. Attorney
Email: carlos.raurell@usdoj.gov
/s/ Linda Osberg-Braun

ⁱ The premise that the removal period began on June 23, 2025, is wrong. 8 U.S.C. § 1231(a)(1) clearly defines the removal period as the 90-days after an alien is ordered removed. The beginning of the removal period is defined under 8. U.S.C. § 1231(a)(1)(B) as the latest of the following dates: (i) The date the order of removal becomes administratively final; (ii) If the removal order is judicially reviewed and if the court orders a stay of the removal of an alien, the date of the court's final order.; (iii) If the alien is detained or confined (except under an immigration process), the date the alien is released from detention or confinement. 8. U.S.C. § 1231(a)(1)(B). Pursuant to the statute, the absolute last date of the beginning of the removal period in Petitioner's case is August 14, 2014, when Petitioner was released from confinement with the BOP. On July 18, 2011, the immigration judge ordered Petitioner removed and granted deferral under the Convention Against Torture (CAT). On October 21, 2011, the Board of Immigration Appeals reviewed and addressed a legal issue not related to CAT and issued its decision. On August 14, 2014, Petitioner was released from BOP custody. Therefore, based on the explicit and clear statutory provisions, the Petitioner's removal period began **at the latest August 14, 2014**.

ⁱⁱ The government explicitly states that no third country has been identified and confirmed the same in their status update to the Court. *See* [ECF No. 11] ("There is no update with regard to removal to a third country at this time."). Respondents' inability to identify a third country for removal underscores the necessity of this Temporary Restraining Order. Indefinite detention where removal is not reasonably foreseeable is squarely against statutory intent and a violation of longstanding case law. *Zadvydas v. Davis*, 533 U.S. 678 (2001) (Once removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute). Where there is no substantial likelihood of removal in the reasonably foreseeable future, the government "shall" promptly make arrangements for release of the alien. 8 C.F.R. § 241.13(g)(1).

ⁱⁱⁱ Petitioner was placed on an Order of Supervision on February 15, 2013, and was ordered to report immediately upon release from BOP. *See* [ECF No. 8.1]. Since his release from BOP, Petitioner has consistently complied with all terms of his Order of Supervision. Respondents claim that reason for revocation of the Order of Supervision defies accuracy because the BIA decision of October 21, 2011 occurred before the Petitioner was released on an Order of Supervision. Something that occurred before Petitioner was placed on an Order of Supervision cannot be a violation that triggers revocation.

^{iv} Because the Court asked during oral argument, the Petitioner's intention if the Motion for TRO were denied, the undersigned counsel would respectfully request assurances from the government as enumerated above and would explore all avenues of appellate relief.