IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Z.N. and her minor children M.E. and K.E., *Petitioner*, **v.** SAM OLSON, Field Office Director for U.S. Immigration and Customs Enforcement, in his official capacity; TODD M. LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity; KRISTI NOEM, Secretary of the U.S. Department of Homeland Security, in her official capacity; DONALD J. TRUMP, President of the United States, in his official capacity, *Respondents*.	**No. 1:25-cv-7284** **PETITION FOR A WRIT OF HABEAS CORPUS** **EMERGENCY RELIEF REQUESTED**

INTRODUCTION

1. Petitioners are a mother and her two minor children from Iran who entered the United States in February 2025 to seek asylum. They were released from custody, issued a Notice to Appear in immigration court, and, when the government did not file that Notice to Appear with the immigration court, they diligently pursued their rights by affirmatively filing their application for asylum with the Department of Homeland Security (DHS).

2. Now however, Respondents have detained the family and appear to be poised to subject them to immediate removal, either under their purported authority to do so pursuant to 8 U.S.C. § 1225(b)(1) or under President Trump's unlawful proclamation dated January 20, 2025, which suspended access to asylum under 8 U.S.C. § 1182(f). Proclamation 10888, *Guaranteeing the States Protection Against Invasion*, 90 Fed. Reg. 8333 (Jan. 20, 2025) ("Proclamation").

3. Petitioners submit this Petition and request emergency relief under 28 U.S.C. § 2241. They ask this Court to declare that DHS's attempt to detain them under 8 U.S.C. § 1225(b) or President Trump's 212(f) Proclamation is unlawful. Petitioners further ask that this Court prohibit Respondents from removing them from the state of Illinois or from the United States during the pendency of this Petition.

EMERGENCY STAY REQUESTED

4. Petitioners seek a stay of removal and an order instructing Respondents to keep them in this District until this case is resolved. Both requests are proper under *Nken v. Holder*, 556 U.S. 418 (2009). As discussed below, Petitioners are asylum-seekers from Iran who have not yet been given an opportunity to have their application for protection considered and who nonetheless appear to be facing summary removal to Iran or a third country.

5. Given that the government has not yet afforded them a chance to seek asylum,

Petitioners are likely to prevail on the merits of their arguments that this removal would be illegal, in violation of 8 U.S.C. § 1158. And the harm that they face if removed to Iran, whether directly or via a third country, is life and death.

JURISDICTION AND VENUE

6. It is unclear what authority Respondents rely on to justify Petitioners' detention, and it is Petitioners' position that Respondents have not satisfied the requirements to justify detention under the only two authorities that could be relevant in this context: 8 U.S.C. § 1226(a) or 8 U.S.C. § 1225(b).

7. This Court has jurisdiction under Art. I, § 9, cl. 2 of the U.S. Constitution (the Suspension Clause); 28 U.S.C. § 2241 (habeas authority); 28 U.S.C. § 1331 (federal question jurisdiction); and 28 U.S.C. §§ 2201, 2202 (Declaratory Judgment Act).

8. District courts have jurisdiction under 28 U.S.C. § 2241 to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of their civil immigration detention. *See Jennings v. Rodriguez*, 138 S. Ct. 830, 839–42 (2018); *Demore v. Kim*, 538 U.S. 510, 516–17 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

9. This Court has jurisdiction to grant declaratory and injunctive relief under the Declaratory Judgment Act, 28 U.S.C. §§ 2201, *et seq.*; the All Writs Act, 28 U.S.C. § 1651; 28 U.S.C. § 2241(a); and FED. R. CIV. P. 57, 65.

10. Venue is proper under 28 U.S.C. § 1391 because, as of this filing Petitioners are currently detained in the Chicagoland area, presumably at the Broadview ICE Processing Center, and the Chicago Field Office Director is thus the immediate custodian. Venue is also proper because at least one of the Respondents is a resident of this District, and a substantial part of the events giving rise to the claims in this action took place within this District. 28 U.S.C. § 1391.

THE PARTIES

11. Z.N. is a citizen of Iran who entered the United States with her two minor children in February 2025 to seek asylum. She was subsequently released from custody and has been living in Chicago, Illinois. She has a pending asylum application. She is currently detained in this district.

12. M.E. is the minor child of Z.N. He entered the United States with Z.N. and is a derivative applicant on his mother's application for asylum. He is currently detained in this district.

13. K.E. is the minor child of Z.N. He entered the United States with Z.N. and is a derivative applicant on his mother's application for asylum. He is currently detained in this district.

14. Sam Olson is the Field Office Director for the Immigration and Customs Enforcement (ICE) in Chicago, Illinois. He is sued in his official capacity as Petitioners' legal and physical custodian.

15. Kristi Noem is the Secretary of the Department of Homeland Security (DHS), which oversees the detention and removal of noncitizens from the United States. She is sued in her official capacity.

16. Respondent Todd Lyons is named in his official capacity as Acting Director of ICE. As the head of ICE, he is responsible for decisions related to the detention and removal of certain noncitizens, including Petitioners. As such, he is also a legal custodian of Petitioners.

17. Respondent Donald Trump is named in his official capacity as the President of the United States. He is legally responsible for issuing the 212(f) Proclamation and oversees its implementation. As such, he is legal custodian of Petitioners.

STATEMENT OF FACTS

18. Petitioner Z.N. is an Iranian mother and former university professor who entered the United States on February 21, 2025, to seek asylum with her two minor children, Petitioners M.E. and K.E., and her young adult daughter, S.E. They fled Iran following persecution and threats of future harm because of Z.N.'s. status as a woman who attempted to flee domestic violence with her children, and owing to her expression of public criticism regarding the Iranian government's abuses against women.

19. Before she fled Iran, Z.N.'s ex-husband, who is the father of her children, physically and psychologically abused her throughout their marriage. After Z.N. left her ex-husband and attempted to protect herself and her children by moving far away from him, he found her and forced her to return to live closer to him so he could see his children.

20. Z.N.'s eldest daughter, S.E., disclosed to her that Z.N's ex-husband was sexually abusing her, and he threatened to kill Z.N. if she reported him to the police. As a university professor with strong ties within the religious community of Iran and a member of Hirasat, an organization that supports the government and enforces strict adherence to Iranian law, Z.N.'s ex-husband could harm her and her children with impunity.

21. Z.N. was a professor of Farsi Literature and Culture at the University of Birjand from 2007 until 2024. As a result, she became a target for the Iranian regime because she supported open discussion and free thought as a vocal critic of the Iranian government.

22. In addition, Z.N. is a Muslim who disagrees with the Iranian government's interpretation of Islam and its oppression of women. She became increasingly vocal in her opposition to the Iranian regime following the death of Mahsa Amini, a Kurdish-Iranian woman who died following her arrest by the morality police for not wearing a hijab. Because Z.N. allowed her students to discuss Mahsa Amini's death and voice their grief in the classroom, even after being

forbidden to do so by the university leadership, she was forced into early retirement.

23. Fearing that she would be killed by her husband for protecting her children, or detained, tortured, and killed by the Iranian government for her public criticism of their regime, Z.N. fled Iran with her three children in December 2024.

24. Z.N. and her three children entered the United States from Mexico without inspection between ports of entry at Roma, Texas on February 21, 2025. They were initially detained by Respondents.

25. On April 1, 2025, DHS issued Petitioners Notices to Appear (NTAs), but have not yet initiated removal proceedings against them by filing the NTAs with the Immigration Court. The NTAs alleged that Petitioners were inadmissible because they did not possess a valid entry document required by the Immigration and Nationality Act (INA) and entered the U.S. without inspection by an immigration officer. Following their entry to the U.S., Z.N. and her two minor children were released from DHS custody and settled in Illinois, while her eldest daughter S.E. has been detained in DHS custody in California.

26. Petitioners applied for asylum by filing Form I-589 within one year of arrival as required. Under the DHS's Alternative to Detention program, Petitioner Z.N. was given an ankle monitor and given reporting obligations with the Intensive Supervision Appearance Program (ISAP). She has retained counsel and has attempted to comply with all legal obligations.

27. On or about June 13, 2025, Petitioners received a notification that they needed to report for a check-in at DHS's field office located in Broadview, Illinois the following day. Petitioner Z.N. missed the notification because she had the flu at that time. Upon seeing the notification, she sent a message to DHS requesting a later check-in appointment. She never received a response to her request.

28. Later that week, Petitioner Z.N. attempted to appear in person at the address from the notification during normal business hours. The office was closed.

29. Despite this diligence and Z.N.'s attempts to comply with all immigration procedures, Petitioners were detained by DHS on June 27, 2025, at their home. They are currently in DHS detention.

30. This emergency petition follows.

LEGAL FRAMEWORK

31. The United States has long sheltered refugees seeking a haven from persecution, and the Refugee Act of 1980, Pub. L. No. 96-212, 94 Stat. 102, enshrined that national commitment in the general asylum statute. The Refugee Act, as modified over time, reflects "one of the oldest themes in America's history—welcoming homeless refugees to our shores," and it "gives statutory meaning to our national commitment to human rights and humanitarian concerns...." S. Rep. No. 96-256, at 1 (1979), reprinted in 1980 U.S.C.C.A.N. 141. One of Congress's "primary purposes" was "to bring United States refugee law into conformance" with international refugee treaties and the bedrock principle that individuals may not be returned to countries where they face persecution or torture. *INS v. Cardoza-Fonseca*, 480 U.S. 421, 436 (1987).

32. The current asylum statute, 8 U.S.C. § 1158, provides a broad right to seek asylum to noncitizens present in the United States. It provides that: "Any [noncitizen] who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival . . .), irrespective of such [noncitizen's] status, may apply for asylum in accordance with this section or, where applicable, section 1225(b) of this title." *Id.* at § 1158(a)(1).

33. People seeking asylum are guaranteed Due Process under the Fifth Amendment to the U.S. Constitution. *Reno v. Flores*, 507 U.S. 292, 306 (1993). An applicant for asylum generally

seeks that protection in one of three ways, affirmatively before United States Citizenship and Immigration Services, defensively under "regular" removal proceedings under 8 U.S.C. § 1229a, or in the expedited removal process outlined in 8 U.S.C. § 1225.

Affirmative Asylum Process

34. An affirmative asylum application is one that is filed by an individual who is not in removal proceedings with USCIS. Those applications receive a non-adversarial interview process, and in most cases, a case will be either granted or referred to an immigration court for *de novo* review of the case in the event of an adverse decision.

35. In many instances, even when the government intends to place a person into defensive removal proceedings, the individual receives either a fictitious hearing date, or no hearing date. Additionally, these notices are sometimes not served on the immigration court, which makes them ineffective for purposes of initiating defensive removal proceedings.

36. Many people in this posture must file an application for asylum with USCIS affirmatively. This process is important because, among other things, it enables a person to comply with the one-year filing deadline for asylum claims. *See* 8 U.S.C. § 1158(a)(2)(B).

Expedited Removal Proceedings (8 U.S.C. § 1225(b))

37. In 1996, Congress established expedited removal to "substantially shorten and speed up the removal process" for certain noncitizens arriving without immigration documents. *Make the Rd. N.Y. v. Wolf*, 962 F.3d 612, 618 (D.C. Cir. 2020); *see* 8 U.S.C. § 1225(b)(1). Expedited removal may be applied to certain noncitizens who arrive at the border or enter without inspection, typically those who lack valid travel documents. 8 U.S.C. § 1225(b)(1)(A)(i). Absent further proceedings to assess any fear claims, noncitizens subjected to expedited removal are ordered removed by an immigration officer "without further hearing or review." *Id.*

38. The applicability of expedited removal is subject to important caveats. A noncitizen is amenable to expedited removal if she "has not been admitted or paroled into the United States, and [she] has not affirmatively shown, to the satisfaction of an immigration officer, that [she] has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph." 8 U.S.C. § 1225(b)(1)(A)(iii)(II). In other words, noncitizens who are paroled into the United States cannot be subjected to expedited removal.

39. A person subject to expedited removal may, however, still apply for asylum, withholding of removal, and relief under the Convention Against Torture. That is because Congress's interest in "efficient removal" was balanced against "a second, equally important goal: ensuring that individuals with valid asylum claims are not returned to countries where they could face persecution." *Grace v. Barr*, 965 F.3d 883, 902 (D.C. Cir. 2020).

40. A person seeking asylum via the expedited removal process must first express a fear of persecution or torture, or an intention to apply for asylum. That person is then entitled to a "credible fear" screening interview. 8 U.S.C. § 1225(b)(1)(B). Because the credible fear interview is only a threshold screening device, a noncitizen "need not show that he or she *is in fact eligible* for asylum." *Grace*, 965 F.3d at 888 (internal quotation marks omitted, emphasis in original). Instead, they need only show a "credible fear," defined by the statute as a "significant possibility" that the individual "could establish eligibility for asylum" in removal proceedings. *See* 8 U.S.C. § 1225(b)(1)(B)(v); 8 C.F.R. §§ 208.30 (e)(2)-(3).

41. If the officer finds a credible fear, the individual is taken out of the expedited removal process for processing in regular removal proceedings, discussed below. 8 U.S.C. § 1225(b)(1)(B)(v). If the officer finds no credible fear, the noncitizen is entitled only to review

before an immigration judge, who will assess whether the applicant has a credible fear of persecution. 8 C.F.R. § 1208.30. If the judge finds a credible fear, the noncitizen is placed in full removal proceedings. *Id.* If, however, the judge affirms the asylum officer's adverse finding, the applicant is subject to removal "without further hearing or review." 8 U.S.C. §§ 1225(b)(1)(B)(i), (iii); *see* 8 U.S.C. §§ 1252(a)(2)(A), (e). The CFI generally occurs quickly, from detention. And while a person is entitled to a "consultation period" before a CFI, that process does not convey a right to counsel and it "shall not unreasonably delay the process." *Id.* § 1225(b)(1(B)(iv); *see Las Americas Immigrant Advocacy Center v. Wolf,* 507 F. Supp. 3d 1. 14 (D.D.C. 2020).

42. DHS has discretion to place someone into expedited removal proceedings or to bypass those proceedings and place the person into full removal proceedings under INA § 240, 8 U.S.C. § 1229a. That is apparently what happened in this case, when Respondents served Petitioners with a Notice to Appear for full removal proceedings. In this scenario, a person will generally be paroled into the United States under 8 U.S.C. § 1182(d)(5) to await the adjudication of their asylum applications.

Regular Removal Proceedings (8 U.S.C. § 1229a)

43. The alternative to the expedited removal process, which is the normal process for most noncitizens in the United States occurs under 8 U.S.C. § 1229a. The INA provides that unless otherwise specified, these proceedings are "the sole and exclusive procedure for determining whether [a noncitizen] may be admitted to the United States or, if the [noncitizen] has been so admitted, removed from the United States." *Id.* § 1229a(a)(3). In these regular removal proceedings, noncitizens have the right to counsel, to present evidence, to cross-examine witnesses, and to appeal, if necessary, to the Board of Immigration Appeals and a federal court of appeals. 8 U.S.C. §§ 1229, 1229a, 1252(a), (b); 8 C.F.R. §§ 1003.12-1003.47.

44. They also have substantially more time to gather evidence, consult with counsel, develop arguments, and otherwise prepare. A noncitizen in regular removal proceedings may submit a "defensive" asylum application to the immigration judge as a form of relief from removal. 8 C.F.R. § 208.2(b), and the applicant can likewise seek other forms of relief from removal.

President Trump's 212(f) Proclamation

45. On January 20, 2025, the President issued the Proclamation. 90 Fed. Reg. 8333. This Proclamation purports to permit the Executive Branch to unilaterally override the immigration laws Congress enacted for the protection of people who face persecution or torture if removed from the United States.

46. The preamble states that the President "ha[s] determined that the current situation at the southern border qualifies as an invasion under Article IV, Section 4 of the Constitution of the United States." It adds, that "[t]he INA provides the President with certain emergency tools"—specifically, 8 U.S.C. §§ 1182(f) and 1185(a)(1).

47. The preamble recognizes that, "[h]istorically, Presidents have used these statutory authorities [only] to deny entry of designated classes and categories of [noncitizens] into the United States through ports of entry." But the preamble asserts, without citation to authority, that "if the President has the power to deny entry of any [noncitizen] into the United States, and to impose any restrictions as he may deem appropriate, this authority necessarily includes the right to deny the physical entry of [noncitizens] into the United States and impose restrictions on access to portions of the immigration system."

48. And the preamble further asserts that, notwithstanding the INA, "[t]he President's inherent powers to control the borders of the United States, including those deriving from his authority to control the foreign affairs of the United States, necessarily include the ability to

prevent the physical entry of [noncitizens] involved in an invasion into the United States, and to rapidly repatriate them to an alternative location."

49. Section 1 of the Proclamation states that, pursuant to 8 U.S.C. §§ 1182(f) and 1185(a), "the entry into the United States" of noncitizens engaged in the purported "invasion across the southern border is detrimental to the interests of the United States" and that entry into the United States "shall be suspended" until the President issues a "finding that the invasion at the border has ceased."

50. Section 2 states that these same noncitizens "are restricted from invoking provisions of the INA that would permit their continued presence in the United States, including, but not limited to, [the asylum statute], 8 U.S.C. 1158, until [the President] issue[s] a finding that the invasion at the southern border has ceased."

51. Neither Section 1 nor Section 2 defines the class of noncitizens it covers, stating only that the provisions apply to noncitizens engaged in the purported "invasion across the southern border." Sections 1 and 2 do not distinguish between individuals who cross between ports of entry and those who present at ports of entry and, accordingly, appear to cover both groups.

52. Since January 20, 2025, DHS has been relying on the proclamation to remove or repatriate noncitizens who are seeking asylum to third countries. That practice is the subject of a legal challenge that is currently pending and fully briefed on behalf of a putative class. *See RAICES v. Noem,* 25-cv-00306 (DDC).

Parole (8 U.S.C. § 1182(d)(5))

53. As appears to have occurred in Petitioners' case, DHS has discretion to grant parole "on a case-by-case basis for urgent humanitarian reasons." *Id.* When a person is released on parole, they generally receive a document—a Notice to Appear— instructing them to appear in removal

proceedings initiated under 8 U.S.C. § 1229a. According to the Board of Immigration Appeals, parole under this provision provides the "only exception" that would permit someone in Petitioner's posture to be released into the United States following entry using CBP One. *See Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025).

Detention Authority (8 U.S.C. §§ 1226(a) and 1225(b))

54. The INA contains multiple different sources for detention authority, as relevant here are 8 U.S.C. § 1226(a) and 8 U.S.C. §§ 1225(b)(1)(B)(ii), (iii)(IV). Section 1226(a) provides a noncitizen "may be arrested and detained pending a decision on whether the [noncitizen] is to be removed from the United States" unless the person is subject to mandatory detention as described later in that section. People who are detained under this authority can be released on bond, and some courts have held that the burden is on the government to establish that a person in such a situation is a flight risk and danger to the community. *See Hulke v. Schmidt,* 572 F. Supp. 3d 593, 602-03 (E.D. Wisc. 2021) (holding that habeas petitioner was "entitled to a bond redetermination hearing at which the Government must prove by clear and convincing evidence that [Petitioner] poses a danger to the community or (2) prove by a preponderance of the evidence that [he] poses a flight risk").

55. Detention under the expedited removal scheme is much more restrictive. That statute provides that a person shall be detained for the duration of the credible fear process and also for subsequent removal proceedings for a person who is found to have a credible fear of persecution. 8 U.S.C. § 1225(b)(1)(B)(ii), (iii)(IV). As mentioned above, the "only" exception to this is that DHS may grant parole to allow someone in this context to be released.

CLAIMS FOR RELIEF
COUNT ONE
Violation of Fifth Amendment Right to Due Process Procedural Due Process

56. Petitioners restate and reallege all paragraphs above as if fully set forth here.

57. The Due Process Clause of the Fifth Amendment to the U.S. Constitution prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V. Due process protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678 (2001).

58. Respondents have violated Petitioners rights to Due Process by paroling them into the United States, affording them an opportunity to apply for asylum in full removal proceedings under 8 U.S.C. § 1229a, and by unilaterally revoking Petitioners' rights to this process and instead replacing it with a more restrictive asylum process, without notice and an opportunity to contest such a change in their position.

COUNT TWO
Unlawful Use of Expedited Removal Statute – Violation of 8 U.S.C. § 1225(b)
Violation of the Administrative Procedure Act - 5 U.S.C. § 706(2)(A) Not in Accordance with Law and in Excess of Statutory Authority Unlawful Detention

59. Petitioners restate and reallege all paragraphs above as if fully set forth here.

60. Under the APA, a court shall "hold unlawful and set aside agency action" that is an abuse of discretion. 5 U.S.C. § 706(2)(A).

61. On information and belief, Petitioners have been paroled into the United States. Indeed, the Board of Immigration Appeals has recently held that parole is the *only* mechanism in which a person in Petitioners' posture can be released from custody.

62. A person who is "admitted or paroled" into the United States is not subject to expedited removal. 8 U.S.C. § 1225(b)(1)(A)(iii)(II).

63. On information and belief, Petitioners have been detained so that they may be processed for expedited removal, and because they are not amenable to such processing, detention

under this statute is improper.

64. There have been no circumstances that justify the revocation of Petitioners' parole. Petitioners missed a check-in because Z.N. was ill with the flu, and the Agency did not respond to her attempts to reschedule.

COUNT THREE
Improper Detention Under Presidential Proclamation
Violation of the Administrative Procedure Act - 5 U.S.C. § 706(2)(A) Not in Accordance with Law and in Excess of Statutory Authority Unlawful Detention

65. Petitioners restate and reallege all paragraphs above as if fully set forth here.

66. On information and belief, Respondents have taken Petitioners into immigration custody to effectuate their removal—either to Iran or to a third country—under the Presidential Proclamation.

67. The Proclamation is unlawful for various reasons, including that it authorizes the removal of individuals who are seeking asylum and related protections from persecution and torture without allowing those individuals an opportunity to seek that protection.

68. To the extent Respondents are detaining Petitioners to remove them under the Proclamation, doing so violates the asylum statute, 8 U.S.C. § 1158, the withholding of removal statute, 8 U.S.C. § 1231, and the Convention Against Torture.

69. Detention to pursue an unlawful removal of this nature is contrary to law.

COUNT FOUR
Violation of INA § 1225(b)
Conflicting Agency Decisions About Petitioners

70. Petitioners restate and reallege all paragraphs as if fully set forth here.

71. At the border, immigration agents ultimately decided to release Petitioners from detention and to allow them to travel to Chicago, where Petitioners then applied for asylum.

72. On June 27, 2025, some months later, a different immigration official apparently

disagreed with the earlier decision, detained Petitioners, and apparently subjected them (or are poised to subject them) to a form of summary removal.

73. The statute has specific rules governing a situation of disagreement between immigration officials about whether to allow a noncitizen to enter the country. If a later official disagrees with the first assessment, the second official is not authorized to simply overturn the first decision. Rather, "such challenge shall operate to take the [noncitizen] whose privilege to be admitted is so challenged, before an immigration judge for a proceeding under section 1229a of this title." 8 U.S.C. § 1225(b)(4).

74. It appears, under information and belief, that the latter immigration official failed to apply the rule of § 1225(b)(4), instead moving to summarily remove the Petitioners, in violation of the statute.

PRAYER FOR RELIEF

WHEREFORE Petitioners respectfully requests that this Court:

a. Assume jurisdiction over this matter;

b. Enjoin Respondents from removing Petitioners from the United States pending resolution of this case;

c. Enjoin Respondents from transferring Petitioners outside of the jurisdiction of the Northern District of Illinois pending the resolution of this case;

d. Pursuant to 28 U.S.C. § 2243, issue an Order to Show Cause or Order to Answer ordering Respondents to show cause within three days why the writ should not be granted;

e. Issue a writ of habeas corpus directing Respondents to release Petitioners on their own recognizance;

f. Enjoin Respondents from subjecting Petitioners to the Proclamation or to expedited removal under 8 U.S.C. § 1225;

g. To the extent Respondents are detaining Petitioners to remove them pursuant to the Proclamation, order that this case be held in abeyance pending the resolution of *RAICES v. Noem*, which is fully briefed and may resolve that issue on a classwide basis.

h. Award Petitioners costs and reasonable attorneys' fees in this action under the Equal Access to Justice Act, as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis justified under law; and

i. Grant any further relief as this Court deems just and proper.

Respectfully Submitted,

Dated: June 28, 2025

s/ Charles Roth

Charles Roth
Keren Zwick
National Immigrant Justice Center
111 W Jackson Blvd.
Suite 800
Chicago, IL 60604
Tel: (312) 660-1613
(312) 660-1364
Fax: (312) 660-1613
(312) 660-1364
Email: croth@immigrantjustice.org
kzwick@immigrantjustice.org

Counsel for Petitioners