

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

Peymon Haidari,

No. 3:25-cv-00250 – LS

Plaintiff,

Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of Immigration and Customs Enforcement; Mary De Anda-Ybarra, El Paso ICE Field Office Director; ICE Facility Administrator (name currently unknown) at El Paso Service Processing Center.

Defendants.

**PETITIONER'S ADVISORY ABOUT IRANIAN DENIAL OF A TRAVEL DOCUMENT
AND THE RESPONDENTS' DECISION TO CONTINUE DETENTION**

A primary issue in this case is whether the Petitioner's removal to Iran is reasonably foreseeable. On or around September 19, 2025, the Iranian authorities mailed the Petitioner written notice denying his request for a travel document to enter the country. *See* Exh. A. The Petitioner submitted this document, along with other evidence relating to his community ties and good moral character, in support of his 90-day custody review.¹ *See* 8 C.F.R. § 241.4.

On or around October 2, 2025, the Respondents decided to continue the Petitioner's detention. *See* Exh. B. Although the Petitioner's criminal history is over 25 years old, the

¹ The Petitioner participated in the 90-day custody review even though the removal period in case ended on June 16, 2000, which was approximately 90 days after his final order of removal. The Petitioner remained in custody for over two years from March 16, 2000, until April 8, 2002. *See* ECF No. 7, para 15. The governing statute, 8 U.S.C. § 1231(a), does not allow the removal period to restart or be reinitiated upon the re-detention of a noncitizen. *See, e.g., Alva v. Kaiser*, No. 25-cv-06676-RFL, 2025 U.S. Dist. Lexis 163060, at *7–8 (N.D. Cal. Aug. 21, 2025); *Diaz v. Wofford*, No. 1:25-CV-01079 JLT EPG, 2025 U.S. Dist. LEXIS 173666, at *10–11 (E.D. Cal. Sep. 5, 2025).

Respondents claim it renders him a danger to the community. Even though the Petitioner was released on an order of supervision (OSUP) prior to being re-detained for approximately 23 years and never attempted to flee, the Respondents continue to claim he is a flight risk. And contrary to the Iranian representative's written denial of the Petitioner's application for a travel document, the Respondents maintain that his removal to Iran is reasonably foreseeable.²

Conclusion

The Petitioner continues to maintain that the 90-day removal period in this case is long past, that there is no reasonable foreseeability of removing the Petitioner, that he is not presently a danger to the community, and that he is not a flight risk. Since the continued custody of the Petitioner is in violation of law, the Petitioner respectfully requests the Court to enter an order allowing for his release.

Respectfully submitted,

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² The decision to continue the Petitioner's custody states that the Petitioner declined an in-person interview. The Petitioner respectfully disagrees that he declined a personal interview.

CERTIFICATE OF SERVICE

I certify that on today's date, October 21, 2025, I electronically filed the above Notice by using the Court's CM/ECF system which will automatically send a notice of electronic filing to Respondents' counsel.

/s/ Lance Curtright
Lance Curtright