

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

REZA YAGHOUBI YEGANEH,

Petitioner,

v.

WARDEN, BLUEBONNET DETENTION
FACILITY, et al,

Respondent.

Civil Action No. 1:25-CV-00121-H

SUR-REPLY

In response to this Court's Order directing the Respondent to file a sur-reply addressing a claim in Petitioner's reply, Respondent would show the Court as follows:

Background

Petitioner, a native and citizen of Iran who has been charged as removable due to various criminal convictions, was taken into custody by Immigration and Customs Enforcement ("ICE") on March 18, 2025. He subsequently filed a habeas petition challenging his detention, arguing that there was no reasonable likelihood of his removal to Iran. *See generally* ECF. 1. In response, Respondent explained that ICE had reasonable grounds to believe that Petitioner could, in fact, be removed to Iran. ECF. 7.

On August 25, 2025, Respondents arranged for a telephone call between the Iranian Consulate and Petitioner. App. p.7, ¶4. Officers at the Bluebonnet Detention Center confirm the call occurred. *Id.* In an affidavit attached to his reply to that response, Petitioner

asserts that during that call, an employee of Iranian Consulate specifically told him that Iran would not issue travel papers for him to return to Iran. ECF 11. Based on that representation, Petitioner renews his argument that his continued detention is unlawful. ECF 9, p. 7.

On August 26, 2025, the Court ordered respondents to file a sur-reply to Petitioner's reply wherein Petitioner alleges that Iran denied the request for travel documents on August 25, 2025.

Argument

Respondents, at this time, cannot confirm or deny what Petitioner alleges was said during the conversation. However, ICE has contacted the Director of the Iranian Embassy to try to determine the accuracy of Petitioner's claims that his travel documents had been denied. App. p.3, ¶8. The Director of the Iranian Embassy, at the request of ICE, is contacting the Consulate about the telephone call with Petitioner. *Id.* To date, Respondents have not received an update. *Id.*

The above notwithstanding, Respondents *can* confirm the request for travel papers for Petitioner has not been denied by the Iranian Embassy. App. p.7, ¶5. Standard protocol is for Iran to immediately send a denial letter to the ICE field office when travel documents are denied. App. p.3, ¶7. ICE has not received a denial letter for Petitioner; therefore, the request remains pending. App. p.7, ¶5.

Respondent maintains that there is still a significant likelihood Petitioner will be removed in the reasonably foreseeable future. The Iranian Embassy has started to accept copies of birth certificates to establish Iranian citizenship. App. p.3, ¶6. Petitioner's Iranian

birth certificate was submitted with the request for travel documents. *Id.* Iran is issuing travel documents as ICE has removed seventy-five Iranian citizens to Iran since January 2025 and is currently working with Iran on scheduling a charter flight to facilitate removal of Iranian citizens. App. p.4, ¶9-10.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On September 5, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Ann E. Cruce-Haag
ANN E. CRUCE-HAAG
Assistant United States Attorney