

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

**RESPONSE DETAILING THIRD-COUNTRY REMOVAL EFFORTS**

On September 16, 2025, Respondents notified the Court that the government of Iran had denied Petitioner's travel document. On September 17, 2025, the Court ordered Respondents to file a response detailing their third-country removal efforts of the Petitioner. Respondents would respectfully answer the Court as follows.

**A. Legal framework governing removal of aliens, who have received final orders of removal, to third countries.**

The INA provides the Executive Branch with the authority to execute orders of removal and to ensure that aliens who have been ordered removed are in fact removed from the United States. This authority is broad. The United States may remove aliens to various countries including, where other options are unavailable, to any country willing and able to accept them. *See* 8 U.S.C. § 1231(b). Of course, under the statute and regulations implementing the Convention Against Torture ("CAT"), the United States will not remove

any alien to a country where the United States has found he is likely to be tortured—*i.e.*, the extreme scenario where the alien is likely to face severe pain or suffering intentionally inflicted by the hand or with the consent of the public official. The standard for “torture” is a high bar and is plainly not easily met.

Although the INA authorizes removal of aliens who have received a final order of removal to a third country (*see*, 8 U.S.C. § 1231(b)(1)(E)), it does not provide any additional, specific process that aliens must receive under CAT after a final order of removal has been issued but prior to removal to a third country. Congress has delegated the decision regarding the appropriate process entirely to the Executive Branch. *See* 8 U.S.C. § 1231 note. On March 30, 2025, the Department of Homeland Security (“DHS”) issued guidance detailing its policy in this context, following President Trump’s Executive Order directing DHS to take action against the many aliens who stay in this country for years despite being subject to final orders of deportation. *See*, Executive Order 14165, 90 Fed. Reg. 8467.

The DHS Guidance establishes a two-track system to address aliens who have been ordered removed but for various reasons cannot be sent to a country specifically designated in their removal orders. First, where the United States has received a sufficient assurance from a third country that no aliens will be tortured upon removal there, the Executive may remove the alien to that country without any further process. A section applies for countries where the United States has not received such an assurance. In that case, the DHS policy provides that the alien is entitled to notice of the third country and an opportunity for a prompt screening of any asserted fear of being tortured there.

**B. Efforts to remove Petitioner to a third country.**

On March 18, 2025, ICE revoked Petitioner's supervised release and re-detained him pending execution of the final removal order. Since ICE's revocation of Petitioner's supervised release and Petitioner's re-detention on March 18, 2025, Respondents have engaged in continuing efforts to effectuate Petitioner's removal, first to Iran, and now to a third country under 8 U.S.C. § 1231(b)(2). Specifically, on July 14, 2025, ERO sent a travel document request to Headquarters Removal International Operations (HQRIO). The next day, HQRIO reviewed and cleared the travel document request. On July 22, 2025, ERO sent the travel request to the Iranian Interest Section. Respondents were notified on September 10, 2025, that the travel request for Petitioner had been denied by the Iranian government. Once the travel request was denied, ICE sent Petitioner's case to the State Department. The State Department works with other countries to accept a third country national. As of the date of this filing, ICE continues to engage in outreach through the appropriate channels with the State Department to determine appropriate countries and governments willing to accept Petitioner. *See Exhibit A*. This process remains ongoing. Accordingly, given the status of the efforts underway, it is likely that Petitioner's removal will occur in the reasonably foreseeable future.

The Supreme Court has stressed that the reasonably-foreseeable inquiry requires taking "appropriate account of the greater immigration-related expertise of the Executive Branch, of the serious administrative needs and concerns inherent in the necessarily extensive [ICE] efforts to enforce this complex statute, and the Nation's need to speak with one voice in immigration matters." *Zadvydas v. Davis*, 533 U.S. 678, 700 (2001). In

addition, courts must “recognize Executive Branch primacy in foreign policy matters,” and “grant the Government appropriate leeway when its judgments rest upon foreign policy expertise.” *Id.* Taking these considerations into account, the Court adopted a six-month presumptively reasonable period “to limit the occasions when courts will need to make” the type of “difficult judgments” inherent in reviewing this area of “primary Executive branch responsibility.” *Id.* at 700-01.

In this case, where the government is authorized to detain Petitioner for the “period reasonably necessary to bring about [his] removal from the United States,” *Johnson v. Arteaga-Martinez*, 596 U.S. 573, 579 (2022) (cleaned up), his detention is just outside the presumptively reasonable six-month period, and ICE is actively engaged in continuing efforts to effectuate Petitioner’s third-country removal, it would be premature to conclude that Petitioner’s detention exceeds the time reasonably necessary to secure his removal or that there is no significant likelihood of Petitioner’s removal in the reasonably foreseeable future.

Respectfully submitted,

NANCY E. LARSON  
ACTING UNITED STATES ATTORNEY

/s/ Ann E. Cruce-Haag  
ANN E. CRUCE-HAAG  
Assistant United States Attorney  
Texas Bar No. 24032102  
1205 Texas Avenue, Suite 700  
Lubbock, Texas 79401  
Telephone: (806) 472-7351  
Facsimile: (806) 472-7394  
Email: [ann.haag@usdoj.gov](mailto:ann.haag@usdoj.gov)

Attorneys for Respondent

**CERTIFICATE OF SERVICE**

On September 30, 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

EXHIBIT A

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.,

Respondents.

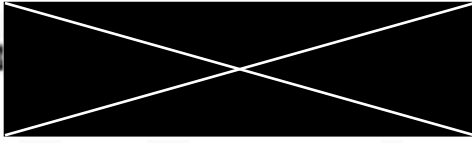
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Case No. 1:25-CV-121-H

DECLARATION OF OFFICER QUINCY R. HODGES, III

In accordance with the provisions of Section 1746 of Title 28, United States Code, I, the undersigned, Quincy R. Hodges, III, Deportation and Detention Officer (“DDO”), do hereby make the following declaration, under penalty of perjury in the above-styled and numbered cause:

1. I, Quincy R. Hodges, III, am presently employed by the United States Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”).
2. I have been employed by ICE since 2007. I have been a DDO with the Removal Management Division since September 2022. As a DDO, I coordinate ICE activities with foreign delegations. I also serve as the subject matter expert for the immigration country portfolios, and I procure travel documents from consulates and embassies on behalf of the ERO field offices.
3. The following information is based on my personal knowledge and my review of information obtained from other individuals employed by DHS, information obtained

from government databases maintained by DHS, and other documents related to the case of Reza Yaghoubi Yeganeh ("Yaghoubi Yeganeh"), alien file number 

4. Iran's denial of travel documents for Yaghoubi Yeganeh occurred less than three weeks ago. Once ICE received word of the denial, I promptly sent Yaghoubi Yeganeh's case to the State Department. It is primarily the State Department that works with countries to accept third-country nationals. That is a process that does take some time. I am not aware of a third country's acceptance of Yaghoubi Yeganeh at this time, but the State Department, DHS, and ICE are working together on this removal.

Sworn to and subscribed this 30th day of September, 2025.

QUINCY R  
HODGES III

Digitally signed by QUINCY R HODGES III  
Date: 2025.09.30 13:12:17 -0400'

---

Quincy R. Hodges, III  
Deportation and Detention Officer  
Department of Homeland Security  
Immigration and Customs Enforcement