

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Abilene Division

_____)	
Reza Yaghoubi Yeganeh,)	
)	
<i>Petitioner,</i>)	
)	Civ. Action No. 1:25-cv-121-H
v.)	
)	
Warden, Bluebonnet Detention Facility, <i>et al.</i>))	
)	
<i>Respondents.</i>)	
_____)	

Petitioner’s Response to the Court’s November 12, 2025 Order

Respondents’ latest filing shows that they have essentially abandoned the effort to remove Petitioner from the United States, and are now detaining him simply for the sake of detaining him.

Even omitting Petitioner’s original detention in 2014, Petitioner has now been detained since March 18, 2025, for a total of 253 days—40 percent longer than the 180-day period under *Zadvydas v. Davis*, 533 U.S. 678 (2001). *See Sagastizado v. Noem*, No. 5:25-cv-00104, Dkt. No. 29 (S.D. Tex. Nov. 14, 2025), at *16 (“The Court also finds that, even if the presumptively reasonable period of detention mentioned by the Supreme Court in *Zadvydas* did reset, as of November 3, 2025, Mr. Sagastizado has been in custody for more than 180 continuous days since his re-detainment by ICE on May 6, 2026.”).

Under *Zadvydas*, detention is only permissible where there is a significant likelihood of removal in the reasonably foreseeable future. Respondents have now given up on any argument that this is likely to occur.

First, on September 15, 2025—72 days ago—Respondents advised the Court that Petitioner’s native Iran (the only country in which he has any claim to citizenship or legal

immigration status) had denied their request for travel documents. Dkt. No. 14 at 1. Their only remaining justification for continued detention was that “Respondents are pursuing the possibility of a third-country removal.” *Id.* Then, on September 30, 2025, Respondents candidly admitted to the Court that no particular third country had yet been identified. Dkt. No. 16 at 4.

Giving due deference to the executive branch and its greater immigration-related expertise, this Court gave Respondents a fifth¹ and “final opportunity” to “detail[] all efforts to effectuate the petitioner’s removal to a third country and explain the likelihood that he will be removed in the reasonably foreseeable future,” and to “include any other information that may bear on whether there is a significant likelihood of removal in the reasonably foreseeable future.” Dkt. No. 18 at 2.

In response to this Court’s Order, Respondents either chose not to take up the invitation, or—more likely—simply have nothing more to show for their efforts in the past two months, because their final status report essentially throws up their hands and confesses that “there is no new information from the State Department about any recent developments” with regards to the likelihood of Petitioner’s removal, and therefore “the respondents here are not able to provide the Court with updated facts regarding the petitioner’s removal to a third country or a clear assessment of the likelihood of removal in the reasonably foreseeable future.” Dkt. No. 19 at 1.

See also Roble v. Bondi, 2025 WL 2443453, at *4 (D. Minn. Aug. 25, 2025) (“The Government appears to recognize that Roble cannot be removed to Somalia The Government asserts, however, that on August 11, 2025, ICE ‘requested third country removal assistance from [Enforcement and Removal Operations] HQ.’ That is the only argument the Government makes for changed circumstances, and it falls woefully short.”); *Momennia v. Bondi*, 2025 WL 3011896, at *7 (W.D. Okla. Oct. 15, 2025), *R&R adopted*, 2025 WL 3006045 (W.D. Okla. Oct. 27, 2025)

¹ *See* Dkt. Nos. 7, 12, 14, 16.

(“more than six months after Mr. Momennia’s re-detention, ICE’s sole justification for his continued detention appears to be that ‘we’re working on it’ while conceding ‘a lack of visible progress.’ That does not suffice under either the regulations or *Zadvydas*.”); *Sun v. Noem*, 2025 WL 2800037, at *2-3 (S.D. Cal. Sept. 30, 2025) (“The Court finds these kind of vague assertions—akin to promising the check is in the mail—insufficient to meet ICE’s own requirement to show ‘changed circumstances’ or ‘a significant likelihood that the alien may be removed in the reasonably foreseeable future.’”).

Meanwhile, Petitioner’s health continues to deteriorate in detention, to the point where he is about to lose all sight in one eye. Petitioner has repeatedly been taken to a hospital for eye exams, and this week was given a CT-scan, all at government expense. *See also* Dkt. No. 9-1 at ¶¶ 9-10.

Since the record before this Court clearly demonstrates that there is no significant likelihood of Petitioner’s removal in the reasonably foreseeable future, the writ of habeas corpus should issue.

Respectfully submitted,

Date: November 26, 2025

//s// Simon Y. Sandoval-Moshenberg
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Certificate of Service

I, Simon Sandoval-Moshenberg, hereby certify that on this date, I uploaded the foregoing, with all attachments thereto, to this court's CM/ECF system, which will send a Notice of Electronic Filing (NEF) to all case participants.

Respectfully submitted,

Date: November 26, 2025

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