

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HEDIE MIRZAYI,

Petitioner,

v.

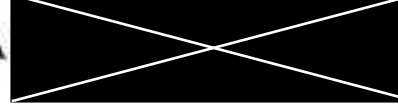
WARDEN, Prairieland Detention Center,
DIRECTOR, Dallas Field Office, U.S. Immigration
and Customs Enforcement; **TODD M. LYONS**,
Acting Director, U.S. Immigration and Customs
Enforcement, **U.S. IMMIGRATION AND**
CUSTOMS ENFORCEMENT, and **PAMELA J.**
BONDI, Attorney General of the United States,
in their official capacities only,

Respondents.

Case No. 3:25-cv-02244-X-BK

**AMENDED PETITION FOR
WRIT OF HABEAS CORPUS**

ALIEN #

A 

ORAL ARGUMENT REQUESTED

INTRODUCTION

1. Petitioner, Hedio Mirzayi, is an adult individual who is a citizen of the Islamic Republic of Iran. She fled Iran and made her way to the United States where she claimed asylum. Since her arrival, petitioner has been detained by U.S. Customs and Immigration Enforcement ("ICE"). She was originally detained at the Bluebonnet Detention Center (in Anson, TX), but then transferred to the David L. Moss Criminal Justice Center in Tula, Oklahoma. She was recently transferred back to Texas, to the Prairieland Detention Center. *See* Exhibit A.

2. Petitioner is represented in her immigration court proceedings by attorney Kiyanoush Razaghi from Rockville, Maryland. *See* Declaration of Kiyanoush Razaghi, Exhibit B. Petitioner filed for a bond hearing, which was denied by an Immigration Judge in El Paso, Texas, first after Respondents did not produce her at the hearing, and then later after the bond

request was allegedly filed with the wrong immigration court. *See* Exhibit C, Order of the Immigration Judge and Rejected Filing Notice to Attorney or Representative.

3. Petitioner is currently being held at the Prairieland Detention Center at 1209 Sunflower Lane, Avarado, TX 76009 in Johnson County, Texas.

4. On August 20, 2025, Petitioner was told that she would be transferred to Texas for a hearing in El Paso, Texas, and that she would soon be deported (removed) from the U.S.

5. Petitioner has a Master Calendar Hearing scheduled with the Immigration Court in El Paso, Texas, on August 28, 2025 at 8:30am Mountain Time. *See* Notice of In-Person Hearing, Exhibit D.

6. Petitioner is in danger of being subjected to Expedited Removal instead of being given the normal due process of having an Individual Merits Hearing before an immigration judge, where her claims for asylum can be heard.

7. Accordingly, to vindicate Petitioner's statutory, constitutional, and regulatory rights, this Court should grant the instant petition for a writ of habeas corpus.

8. Absent an order from this Court, Petitioner could see her Notice to Appear dismissed and then be processed through Expedited Removal and quickly deported from the United States back to Iran, where she will face almost certain persecution, illegal detention, and even torture.

9. Petitioner asks this Court to issue an order barring her removal (deportation) from the U.S. until she has been given the proper review of her reasonable or credible fear of torture in Iran or any third country where she may be removed (deported) to.

16. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

17. The Petitioner is an Iranian citizen who fled Iran and sought asylum in the U.S. Petitioner is currently detained at Prairieland Detention Center in Alvarado, Texas. She is in the custody, and under the direct control, of Respondents and their agents.

18. Respondent WARDEN is the Warden of the Prairieland Detention Center in Alvarado, Texas, and he or she has immediate physical custody of Petitioner pursuant to the facility’s contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent WARDEN is a legal custodian of Petitioner.

19. Respondent DIRECTOR is sued in his or her official capacity as the Director of the Dallas Field Office of U.S. Immigration and Customs Enforcement. Respondent Director is a legal custodian of the Petitioner and has the authority to release her.

20. Respondent Todd M. Lyons is sued in his official capacity as the Acting Director of the U.S. Immigration and Customs Enforcement. In this capacity, Respondent Lyons is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees the U.S. Immigration and Customs Enforcement, the component agency responsible for the Petitioner’s detention. Respondent Lyons is a legal custodian of the Petitioner.

21. Respondent U.S. Immigration and Customs Enforcement is the agency responsible for the implementation and enforcement of the Immigration and Nationality Act, and responsible

for the Petitioner's detention.

22. Respondent PAMELA J. BONDI is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent PAMELA J. BONDI is a legal custodian of the Petitioner.

STATEMENT OF FACTS

23. As explained above, the Petitioner is a citizen of Iran who fled that country and has sought asylum in the United States.

24. Respondents have failed to transport the Petitioner to attend her Immigration Court proceedings in El Paso, Texas. *See supra*.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

25. The allegations in the above paragraphs are realleged and incorporated herein.

26. The failure to transport the Petitioner to her immigration hearings in El Paso, Texas, was a violation of her Fifth Amendment right to due process under the U.S. Constitution.

27. For these reasons, the Respondents challenged actions violate the Due Process Clause of the Fifth Amendment to the U.S. Constitution.

COUNT TWO

Violation of 8 U.S.C. § 1101, *et seq.* and Implementing Regulations

28. The allegations in the above paragraphs are realleged and incorporated herein.

29. The failure to transport the Petitioner to her Immigration Court hearings in El Paso, Texas, was a violation of her rights under the Immigration and Nationality Act, 8 U.S.C. §

1101, *et seq.*, and the implementing regulations promulgated by the U.S. Department of Homeland Security, Respondent ICE, and the U.S. Department of Justice.

30. For these reasons, the Respondents challenged actions violated the Petitioner's rights under the Immigration and Nationality Act, 8 U.S.C. § 1101, *et seq.*, and the implementing regulations promulgated by the U.S. Department of Homeland Security, Respondent ICE, and the U.S. Department of Justice.

PRAYER FOR RELIEF

Wherefore, the Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
- (3) Declare that the Respondents challenged actions violate the Due Process Clause of the Fifth Amendment, 8 U.S.C. § 1101, *et seq.*, and/or its implementing regulations; and
- (4) Grant any further relief this Court deems just and proper.

Respectfully submitted,

/s/ Brian Scott Green
Brian Scott Green
Colorado Bar ID # 56087
Law Office of Brian Green
9609 S University Boulevard
#630084
Highlands Ranch, CO 80130

Counsel for the Petitioner

Dated: August 26, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent the Petitioner, Hedio Mirazyi, and submit this verification on her behalf. I hereby verify that the factual statements made in the foregoing Amended Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 26th day of August, 2025.

s/Brian Scott Green
Brian Scott Green