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8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF ARIZONA**

11 WENJUAN WANG)
12)
13 PETITIONER)
14 v.)
15 Fred Figueroa, in his official capacity as Warden)
16 of Eloy Detention Center;)
17 John E. Cantú, in his official capacity as the Field)
18 Office Director of the ICE Enforcement and)
19 Removal Operations (ERO) Phoenix Field Office)
20 Kristi Noem, in her official capacity as Secretary)
21 of DHS;)
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23 RESPONDENTS)
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Case No: 2:25-CV-03301-MTL
NOTICE OF SUPPLEMENTAL
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1 termination order was September 22, 2025.

2 3. As of the expiration of this deadline, DHS has failed to timely file any notice of
3 appeal of the IJ's termination order. Accordingly, the IJ's August 22, 2025, order is now final
4 and unappealable.

5 4. This development completely extinguishes DHS's sole remaining procedural jus-
6 tification for Petitioner's detention. Because there are no longer any pending removal proceed-
7 ings, DHS lacks any statutory authority under 8 U.S.C. §1225(b)(2) or any other provision to
8 continue Petitioner's detention.

9 5. Respondents' prior reliance on 8 C.F.R. §1003.6 to justify continued custody is
10 now moot. The absence of a timely notice of appeal to BIA forecloses DHS' ability to invoke
11 any automatic stay mechanism under §1003.6(c) or pursue a custody appeal under §1003.6(c).

12 6. Petitioner's detention, which has been without statutory basis since the IJ's Au-
13 gust 22, 2025 order, has now become indisputably and unlawfully indefinite. Her continued con-
14 finement constitutes a grave violation of due process and irreparable harm.

15 WHEREOF, Petitioner respectfully requests that the Court:

- 16 1. GRANT the Emergency Motion for a Temporary Restraining Order and Immediately
17 order her release from custody;
- 18 2. ISSUE a writ of habeas corpus, finding that Petitioner's detention is unlawful ;
- 19 3. AFFIRM that jurisdiction over her adjustment of status application rests exclusively
20 with USCIS.

21 Respectfully submitted.

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23 Dated: September 23, 2025

Paramount Law Group

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26 _____
27 Adele Yan, Esq.
28 Attorney for Petitioner