

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HARSH PATEL (A [REDACTED]))
Petitioner,)
v.)
SAMUEL OLSON, Field Office Director, Chicago) Case No. 25-cv-11180
Field Office, Immigration and Customs)
Enforcement, et al.,)
Respondents.)

JOINT STATUS REPORT

In accordance with the Court's order, Dkt. 11, the parties file this joint status report regarding their efforts to explore the potential for resolution of the removal proceedings:

1. Nature of the Case

A. The attorneys in this case are:

For the Petitioner:

Nicole Provax
Kriezelman Burton & Associates, LLC
200 West Adams St., Ste. 2211
Chicago, Illinois 60606
(312) 332-2550

For the Respondents:

Joshua S. Press
United States Attorney's Office
219 South Dearborn Street
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B. Petitioner brought this Petition for Writ of Habeas Corpus to review his detention, which Petitioner asserts is in violation of his constitutional and statutory rights.

C. Petitioner is seeking this Court to issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 to compel Respondents to schedule a bond hearing for Petitioner's removal proceedings and accept jurisdiction to issue a bond order. Respondents deny that Petitioner is entitled to the relief requested.

2. Jurisdiction

- A. Petitioner alleges that this Court has habeas corpus jurisdiction pursuant to 28 U.S.C. § 2241, and Article I, section 9, clause 2 of the United States Constitution (the “Suspension Clause”), as Petitioner is presently subject to immediate detention and custody under color of authority of the United States government, and said custody is in violation of the Constitution, law or treaties of the United States.
- B. Respondents maintain that this court lacks jurisdiction for the reasons provided in their prior memoranda filed with the court. Dkt. 8 & 13.

3. Proceedings to Date and Status of Potential Resolution

- A. The parties appeared before this Court on September 19, 2025 for a hearing and the Court instructed Respondents to file a supplemental response to Petitioner’s petition by September 24th and for Petitioner to file a reply by September 26th. Respondents filed their supplemental response on September 24th and Petitioner filed his reply on September 26th.
- B. On September 29, 2025, Petitioner appeared before the Chicago Immigration Court for a master calendar hearing. Petitioner advised the court that he had a pending asylum application with U.S. Citizenship & Immigration Services (USCIS) prior to his detention and initiation of removal proceedings and also advised of his intention to proceed with this application for asylum before the immigration court. Petitioner also advised the court of his pending habeas petition. The Chicago Immigration Court scheduled Petitioner for another master calendar hearing on October 27, 2025 to allow time for a copy of his asylum application to be filed with the court. Petitioner will remain detained pending the outcome of this habeas petition.

C. Petitioner is afraid to return to his home country and therefore wishes to proceed with his application for asylum and is not amenable to requesting voluntary departure. Even if Petitioner were to request and be granted voluntary departure, it would be “under safeguards,” meaning that he would remain detained until a travel document could be obtained from India so that he could be removed there, and which could take several months.

D. The parties are therefore unable to reach a joint resolution. Petitioner is requesting that Respondents be ordered to schedule a bond hearing for Petitioner’s removal proceedings and accept jurisdiction to issue a bond order, and Respondents deny that Petitioner is entitled to such relief.

Respectfully Submitted,

/s/ Nicole Provax
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