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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

TAREQ ZIAD FOUAD ZAKARNEH

Case No. 3:25-cv-01665-SB

Plaintiff,

MOTION TO STAY FROM REMOVAL

v.

**DEPARTMENT OF JUSTICE PAMELA
BONDI AND DEPARTMENT OF HOMELAND
SECURITY KRISTI NOEM**

Defendant,

Plaintiff, *Pro se*, hereby moves that this court issue a stay of removal pending the adjudication of his previously – filed petition for review. Pursuant to the Ninth Circuit General Order 6.4(c), Plaintiff respectfully notes that a temporary stay of removal is in effect pending further order of the court, see also *Desta v. Ashcroft* , 365 F.3d 741)9th cir. 20024, In addition, pursuant to circuit Rule 27-8.2, Plaintiff advises that

1| **MOTION TO STAY FROM REMOVAL**

he is detained in the custody of the department of Homeland security fears removal from the United States.

I. Argument on Petition for review

I. Argument on Petition for Review

The Plaintiff is eligible for relief under the asylum with holding of removal and the National Interest Waiver, for the forgoing reasons the Plaintiff filed his petition of review with his motion to stay please see the attached petition of review that is filed in contrary with his motion to stay.

The Plaintiff appealing the decision of the Board of immigration Appeals for his motion to reopen on because the Judge erred when he denied my motion to reopen with prejudice hen he accept a redacted and doctorate reports from the HSI and the FBI and considered them as a valid evidence to bar me from any relief, for the forgoing reasons I'm asking the court to grant my motion to stay while I don't have any criminal charges or violence and I belong for a country not found stateless native of Palestine , as I have pending asylum application with the USCIS has been filed with the USCIS after the BIA refused to reopen my case on August, 12,2025 I filed the asylum application with the USCIS directly, as I'm working with my lawyer from Passage law to refile my I-140 application after the USCIS refused to adjudicate my application and denied for anonymous reasons based on my denial of the I-751 without allowing adjudication or a hearing for adjustment of status .

II. Standard for Stay of Removal

In *Nken v. Holder* , 129 S.Ct. 1749 , 1761(2009) , the Supreme court identified four standards factors that should be considered in adjudicating a motion for stay of

removal : “ (1) whether the stay applicant has made s strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparable injured absent a stay;(3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the Public Interest lies.”

Because the “ Government is the opposing party ” here ,the last two “factors merge” *Nken*, 129 S.Ct. At 1762 . The petitioner is able to satisfy the standard for a stay as articulated by both the *Nken* decision and as well as was previously articulated by this Court in *Andrew v. Ashcroft* ,253 f.3d 477 . 483 (9th Cir. 2001)

I merit a stay of removal because of the following serious legal questions:

Tareq Zakarneh is native from Palestine has an asylum application pending with the USCIS for adjudication, Zakarneh has no criminal record or violence charge , Mr.Zakarneh is helpful for the American society and beneficial with his skills and education as a Field Service Engineer IV , Zakarneh is Stateless citizen has a US residency No hoem to comeback to , the war in his original occupied home escalation ether in Jennin city in West bank or in Gaza strip .

I also merit a stay of removal because removal will cause me the following irreparable injury :

The government defame me as a terrorist while I don't have any charge or crimes of terrorism at the united states without clearing my name and get my residency and citizenship back, I will be marked as a terrorist falsely and I will be prosecuted in any country around the world that I will travel to or visit.

A stay is in the public interest because:

Because I have a litigation versus the defendant at the district for violation of my civil rights, the cases will go in moot because I'm self represented , the district court case is related to my immigration case for violation of the 5 USC 552 for the violation of the first amendment case 3:25-cv-00448-SB Portland, Oregon, the Plaintiff has case to release him from his confinement at the detention center with a violation of the fifth amendment *see case 2:25-cv-00707-DGE-GJL* at the district court of Western of Washington.

For these reasons, Plaintiff moves that the court grant this motion for stay of removal.

This is dated on September, 5th, 2025

/ s/ Tareq Zakarneh
Tareq Zakarneh, Plaintiff

EX.A

4| AFFILIATION OF THE DEPARTMENT OF JUSTICE AND DEPARTMENT
OF HOMELAND SECURITY

Tareq Zakarneh Declaration

I Tareq Zakarneh declare under penalty and perjury that I don't belong to any terrorist organization that the US government represented by the department of Justice and department of homeland security is trying to accuse me, defamation of terrorism to ban me from any relief to state my American residency and citizenship , the US government is retaliating from me because of my law sue against them at the district court of Oregon to release facts and evidence was the main reason for denying my I-751 as its an evidence that show the real agreement between me and the US government to work for them without violating my values and they help me to get my citizenship without my wife but they lied to me and denied my application and they put me in removal proceeding , as I sued my custodian at the district court of Washington for unlawful detention for almost year and a half as I was going in immigration proceeding as a green card holder under 8 C.F.R 264.5(g), the DHS and the DOJ is retaliating from me after I stopped communicating with officer Tad Foy from the Joint task forces of the FBI and DHS on July,2019 after the DOJ denied my I-751 by the immigration judge Richard Zafardinho who is now working as an attorney for the US government, as the government is retaliating from me by keep presenting these reports that is attached to EX.A with this declaration, the government keep following a defamation policy to make their lies about me is truth to hurt me as they can , as they assigned a retired attorney from the EOIR to rule on my motion to reopen and motion to stay to revoke my motion and keep me in custody forever with their dream to deport me to country that I will leave to on my own , the BIA under 8

C.F.R 1003.1(a)(1),(4) assigned a retired attorney from the EOIR to rule on Mr.Zakarneh case which reflect prejudice what type of independence or fair judgment I will get from the department of justice, they are affiliated and working together against me .

I was never every be apart of Alqaeda or Hamas or any political movement either democrat or republican at United states .

This is date on September,5,2025

/s/ Tareq Zakarneh

Tareq Zakarneh, Plaintiff

EX.B

5) **AFFILIATION OF THE DEPARTMENT OF JUSTICE AND DEPARTMENT
OF HOMELAND SECURITY**



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals

Office of the Clerk

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

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Name: FOUAD ZAKARNEH, TAREQ ZIA A 

Date of this Notice: 8/12/2025

Enclosed is a copy of the Board's decision in the above-referenced case. This copy is being provided to you as a courtesy. Your attorney or representative has been served with this decision pursuant to 8 C.F.R. § 1292.5(a). If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of the decision.

Sincerely,

A handwritten signature in black ink, appearing to read "John Seiler".

John Seiler
Acting Chief Clerk

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User team: Docket

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