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14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**

16 Ramin Zamani-Zadeh,
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No. CV-25-03578-PHX-SHD (CDB)



**RESPONSE TO ORDER TO SHOW
CAUSE (DOC. 6) AND REQUEST
FOR EXTENSION OF TIME TO
RESPOND TO PETITIONER'S
MOTION FOR LIMITED
DISCOVERY**

I. INTRODUCTION.

Respondents Fred Figueroa, Warden, Eloy Detention Center, John Cantu, Phoenix Field Office Director, U.S. Immigration and Customs Enforcement, Kristi Noem, Secretary of Department of Homeland Security, and Pamela Jo Bondi, Attorney General of the United States (Respondents), through undersigned counsel hereby respond to the Court's order to show cause (Doc. 6) and seek a short extension of time to produce the discovery ordered by the Court. Petitioner, Ramin Zamani-Zadeh's habeas petition should be denied on the two grounds asserted in the petition. As to ground one, as a factual matter, Petitioner has only been detained since July 30, 2025, less than three months, and

1 well within the presumptively reasonable period of detention established by *Zadvydas v.*
2 *Davis*, 533 U.S. 678, 689 (2001). As to ground two, as a factual matter, United States
3 Immigration and Customs Enforcement (“ICE”) has informed undersigned counsel that
4 it is not seeking to remove Petitioner to any country other than Iran and Petitioner points
5 to no evidence to the contrary. Because ICE is currently seeking travel documents to Iran
6 only and because ICE has had less than three months to effectuate Petitioner’s removal
7 pursuant to a valid, final and executable removal order, Petitioner’s detention is both
8 lawful, constitutional, and necessary to fulfill the primary purpose of section 8 U.S.C. §
9 1231 detention—that is, to ensure the alien’s presence at the time of removal. For these
10 reasons, argued in full below, the Court should deny the habeas petition.

11 II. FACTUAL BACKGROUND.

12 Petitioner Ramin Zamani-Zadeh is a native and citizen of Iran, born on 
13  in Iran. Exhibit A, Declaration of Deportation Officer David A. Sandoval ¶ 3.¹ On
14 an unknown date in the year 1979, Petitioner was admitted into the United States as a
15 non-student F-1 visa. *Id.* ¶ 4. On June 14, 1999, the United States District Court for the
16 District of Oregon, convicted Petitioner for violation of Title 18, U.S.C. Section 1344,
17 Bank Fraud, and sentenced him to serve 14 months in the custody of the United States
18 Bureau of Prison, to be followed by a 5-year term of supervised release. *Id.* ¶ 5. On
19 August 30, 2000, Petitioner was ordered removed to Iran by an Immigration Judge in
20 Seattle, Washington. *Id.* ¶ 6. Because Petitioner did not appeal, the IJ’s order became an
21 administratively final and executable removal order. Doc. 1 ¶ 17.

22 On January 7, 2008, ICE-ERO (Enforcement and Removal Operations) Seattle
23 encountered Petitioner at the Federal Detention Center for probation violation. Exhibit A
24 ¶ 7. They issued a Notice of Revocation of Release and remanded Petitioner into ICE
25 custody in Tacoma, Washington. *Id.* On August 9, 2008, ERO Seattle released Petitioner
26 on an Order of Supervision. *Id.* ¶ 8.

27

28 ¹ Unfortunately, the declaration of facts provided by ICE contains an incorrect heading, however the information contained in the declaration pertains to this case.

1 On July 30, 2025, Petitioner was taken into immigration custody in Phoenix.
2 Exhibit A ¶ 9. On July 31, 2025, Petitioner was transferred from Phoenix to CCA Florence
3 Correctional Center. *Id.* ¶ 10. On August 5, 2025, Petitioner was transferred to Eloy
4 Detention Center in Eloy, Arizona. *Id.* ¶ 11. On August 11, 2025, ICE served Petitioner
5 with a Supervision Revocation Letter. *Id.* ¶ 12. Petitioner's case was then forwarded to
6 the ERO Travel unit to schedule Petitioner's removal. *Id.* On August 14, 2025, Travel
7 unit officers submitted a money order in the amount of \$130 for a Travel Document
8 processing fee. *Id.* ¶ 13. A Travel Document Request was sent to the desk officer. *Id.* On
9 August 18, 2025, ERO Eloy travel unit officer sent a follow up to the desk officer
10 regarding the Travel Document Request. *Id.* ¶ 14. On August 20, 2025, ERO Eloy travel
11 unit sent Travel Document Request to desk officer. *Id.* ¶ 15. On August 27, 2025, ERO
12 Eloy served Petitioner with a Form I-229 and Notice of Custody Review. *Id.* ¶ 16. On
13 September 17, 2025, Travel unit ERO Eloy sent a request for an update from the desk
14 officer regarding the Travel Document Request. *Id.* ¶ 17.

15 III. THE HABEAS PETITION SHOULD BE DENIED.

16 A. Petitioner's detention is presumptively reasonable under *Zadvydas*.

17 The detention, release, and removal of aliens subject to a final order of removal is
18 governed by § 241 of the INA, 8 U.S.C. § 1231. Pursuant to INA § 241(a), the Attorney
19 General has 90 days to remove an alien from the United States after an order of removal
20 becomes final. During this "removal period," detention of the alien is mandatory. *Id.* After
21 the 90-day period, if the alien has not been removed and remains in the United States, his
22 detention may be continued, or he may be released under the supervision of the Attorney
23 General. INA § 241, 8 U.S.C. § 1231(a)(3) and (a)(6). ICE may detain an alien for a
24 "reasonable time" necessary to effectuate the alien's removal. INA § 241(a), 8 U.S.C. §
25 1231(a). However, indefinite detention is not authorized by the statute. *Zadvydas v. Davis*,
26 533 U.S. 678, 689 (2001).

27 In *Zadvydas*, the Supreme Court defined six months as a presumptively reasonable
28 period of detention for aliens, like Petitioner, who are detained under section 1231(a). *See*

1 *Zadvydas*, 533 U.S. at 701-702. *Zadvydas* places the burden on the alien to show, after a
2 detention period of six months, that there is “good reason to believe that there is no
3 significant likelihood of removal in the reasonably foreseeable future.” *Id.* at 701. If the
4 alien makes that showing, the government must then introduce evidence to refute that
5 assertion to keep the alien in custody. *See id.*; *see also Xi v. I.N.S.*, 298 F.3d 832, 839-40
6 (9th Cir. 2002). The court must “ask whether the detention in question exceeds a period
7 reasonably necessary to secure removal. It should measure reasonableness primarily in
8 terms of the statute’s basic purpose, namely, assuring the alien’s presence at the moment
9 of removal. Thus, if removal is not reasonably foreseeable, the court should hold
10 continued detention unreasonable and no longer authorized by statute.” *Zadvydas*, 533
11 U.S. at 699.

12 Here, Petitioner has been detained pursuant to a valid, final and executable
13 removal order for less than three months. Exhibit A ¶ 9. His continued detention is
14 therefore lawful under 8 U.S.C. § 1231 because it fulfills the statute’s basic purpose of
15 ensuring the alien’s presence at the time of removal. It is also constitutional as it is
16 presumed reasonable and within the constitutional limitations proscribed by *Zadvydas*.
17 Accordingly, ground one of Petitioner’s habeas petition fails. Petitioner remains lawfully
18 and constitutionally detained to allow the government to effectuate a valid final removal
19 order.

20 **B. The government is not seeking to remove Petitioner to a third country.**

21 The government is currently seeking removal documents from Iran and has been
22 actively seeking those documents and following up on its travel document requests.
23 Exhibit A ¶¶ 14-17. Currently, the government, as a factual matter is not seeking removal
24 to any other country than Petitioner’s country of citizenship—Iran. Accordingly, ground
25 two of Petitioner’s habeas petition fails.

26 **IV. THE GOVERNMENT REQUESTS ADDITIONAL TIME TO**
27 **PRODUCE DISCOVERY.**

28 As of today’s deadline, October 14, 2025, the Respondents’ A-file is in transit to

1 Phoenix, Arizona, from San Diego, California, despite undersigned counsel's expedited
2 request in the hopes of ensuring compliance with the deadline. The file was housed in the
3 National Records Center (NRC) which caused some delay. The file is expected to arrive
4 within two to three days, but it also needs to be redacted and reviewed for privilege as
5 A-files typically contain a large amount of law enforcement sensitive and privileged
6 information. In addition, the agency has compiled audio recordings of Petitioner's
7 immigration removal proceedings but currently is in the process of transcribing them for
8 disclosure. For these reasons Respondents respectfully request a brief additional 7-day
9 extension of the deadline to produce discovery within the context of this habeas litigation.
10 Respondents agree to produce the A-file and other requested records sooner than the
11 7-day extension request, if received beforehand.

12 Respondents also understand that the sought extension exceeds Petitioner's
13 deadline to file the Reply to Respondent's Response to the Court's Order to Show Cause.
14 Assuming the brief 7-day extension is granted, Respondents do not object to a similar
15 7-day extension of time for Petitioner to file the Reply.

16 For these reasons, Respondents respectfully request the Court allow them to
17 produce a copy of Petitioner's A-file, and the other requested records, no later than
18 October 21, 2025.

19 Respectfully submitted on October 14, 2025.

20
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