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

11
 12 Seyfikoraeim Samad,

13
 14 Petitioner,

15 v.

16 John Cantu, et al.,

17 Respondents.

No. CV-25-03398-KML (JZB)

**STATEMENT OF NON-OPPOSITION
 TO RELEASE IN RESPONSE TO
 PETITION FOR WRIT OF HABEAS
 CORPUS**

18
 19 **THE GOVERNMENT DOES NOT OPPOSE PETITIONER'S RELEASE**

20 On November 17, 2025, Petitioner filed the amended habeas petition. Doc. 11. The
 21 amended habeas petition asserts four grounds for relief; the Court has dismissed all but
 22 ground one. Doc. 10. In ground one, Petitioner asserts that he has a final removal order
 23 to Iran but has been granted withholding of removal to Iran by an immigration judge.
 24 Doc. 11. He further contends that he has been detained longer than the six-month
 25 presumptively reasonable period outlined by the Supreme Court in *Zadvydas v. Davis*,
 26 533 U.S. 678 (2001). *Id.* Finally, he asserts that his continued detention beyond six
 27 months is presumptively unlawful unless the government can prove that removal is
 28 significantly likely in the reasonably foreseeable future. *Id.*

1 As of the date of this filing, undersigned counsel has not been provided with any
2 facts that could establish a significant likelihood of removal in the reasonably foreseeable
3 future. Although ICE is seeking additional countries that may accept Petitioner, none have
4 been identified as of yet. Accordingly, because the Government cannot meet its burden to
5 establish that Petitioner's removal *is* likely in the reasonably foreseeable future, under
6 *Zadvydas*, Petitioner is entitled to release.

7 Respectfully submitted this 6th day of December, 2025.

8 TIMOTHY COURCHAINED
9 United States Attorney
10 District of Arizona

11 *s/Theo Nickerson*
12 THEO NICKERSON
13 Assistant United States Attorney
14 *Attorneys for Respondents*

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CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2025, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and will send a copy by U.S. Mail to:

Seyfikoraeim Samad



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SAN LUIS REGIONAL DETENTION CENTER
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s/Theo Nickerson
THEO NICKERSON
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