

Patrik Nazarian

NAME



PRISON IDENTIFICATION/BOOKING NO.

10400 Rancho Rd. Adelanto, CA 92301

ADDRESS OR PLACE OF CONFINEMENT

Andres Ortiz, Esq. (CA SBN 279239)

Note: If represented by an attorney, provide name, address, & telephone number. It is your responsibility to notify the Clerk of Court in writing of any change of address.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Patrik Nazarian

FULL NAME (Include name under which you were convicted)

Petitioner,

Patrik Nazarian

v.

Kristi Noem, Sec. of DHS, Todd Lyons, Dir. of ICE, and Feresi Semak, Admin. of Adelanto Detention Center

NAME OF WARDEN, (or other authorized person having custody of petitioner)

Respondent.

CASE NUMBER:

CV 5:25-cv-02694-KK-ADS

To be supplied by the Clerk of the United States District Court

CR

Criminal case under which sentence was imposed.

PETITION FOR WRIT OF HABEAS CORPUS BY
A PERSON IN FEDERAL CUSTODY
(28 U.S.C. § 2241)

INSTRUCTIONS - READ CAREFULLY

This petition shall be legibly handwritten or typewritten and signed by the petitioner under penalty of perjury. You must set forth CONCISELY the answer to each question in the proper space on the form. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury.

You must not attach separate pages to this petition except that ONE separate additional page is permitted in answering Question No. 9.

Upon receipt of a fee of \$5.00, your petition will be filed if it is in proper order.

If you are seeking leave to proceed *in forma pauperis* (without paying the \$5.00 filing fee and other court costs), then you must also execute the declaration on the last page, setting forth information that establishes your inability to pay the fees and costs of the proceedings or to give security therefor. If you wish to proceed *in forma pauperis*, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution. If your prison account exceeds \$25.00, you must pay the filing fee as required by the rule of the district court.

When the petition is completed, the original and 3 copies must be mailed to the Clerk of the United States District Court for the Central District of California, Edward R. Roybal Federal Building & U.S. Courthouse, 255 East Temple Street, Suite TS-134, Los Angeles, California 90012, ATTENTION: Intake/Docket Section.

Only one sentence, conviction, or parole matter may be challenged in a single petition. If you challenge more than one, you must do so by separate petitions.

PLEASE COMPLETE THE FOLLOWING: (Check appropriate number)

This petition concerns:

1. ☐ a conviction.
2. ☐ a sentence.
3. ☐ jail or prison conditions.
4. ☐ prison discipline.
5. ☐ a parole problem.
6. ☒ other.

PETITION

1. Place of detention Adelanto Processing Center
2. Name and location of court that imposed sentence N/A Immigration Case
3. The indictment number or numbers (if known) upon which, and the offense or offenses for which, sentence was imposed:
 - a. Removal Case- unlawful detention after release
 - b. _____
 - c. _____
4. The date upon which sentence was imposed and the terms of the sentence:
 - a. N/A
 - b. _____
 - c. _____
5. Check whether a finding of guilty was made:
 - a. ☐ After a plea of guilty
 - b. ☐ After a plea of not guilty
 - c. ☐ After a plea of nolo contendere
6. If you were found guilty after a plea of not guilty, check whether that finding was made by:
 - a. ☐ a jury
 - b. ☐ a judge without a jury
7. Did you appeal from the judgment of conviction or the imposition of sentence? ☐ Yes ☒ No
8. If you did appeal, give the following information for each appeal:

CAUTION: *If you are attacking a sentence imposed under a federal judgment, you must first file a direct appeal or motion under 28 U.S.C. § 2255 in the federal court that entered the judgment.*

- a. (1) Name of court Immigration Court
- (2) Result Court issued a removal order and the petitioner was released on an Order of Supervision
- (3) Date of result 2014-15
- (4) Citation or number of opinion _____

(5) Grounds raised (*list each*):

- (a) _____
- (b) _____
- (c) _____
- (d) _____

- b. (1) Name of court _____
- (2) Result _____
- (3) Date of result _____
- (4) Citation or number of opinion _____
- (5) Grounds raised (*list each*):
- (a) _____
 - (b) _____
 - (c) _____
 - (d) _____

9. State CONCISELY every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, attach a SINGLE page only behind this page.

CAUTION: *If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date. You must state facts, not conclusions, in support of your grounds. A rule of thumb to follow: state WHO did exactly WHAT to violate your rights at WHAT time and place.*

a. Ground one: Violation of the Due Process Clause of the Fifth Amendment

Supporting FACTS (tell your story BRIEFLY without citing cases or law): The Petitioner was unlawfully arrested by ICE at his home in front of his pregnant wife and toddler son. The ICE agents did not inform the Petitioner why he was being arrested. Specifically, they did not allege that he violated a term of supervision and they only referenced the original removal order. He was not told that there was a travel document for him to remove him to Iran or a third country. The Petitioner was given no paperwork as to the reason his supervision was revoked. He was given no interview about why he should be allowed to leave detention after he was detained.

b. Ground two: Violation of the Administrative Procedures Act under 5 USC § 702 for failing to comply with 8 CFR § 241.13(i) when revoking the supervision.

Supporting FACTS (tell your story BRIEFLY without citing cases or law): The Petitioner was detained outside of his house and he was given no reason other than there was a preexisting removal order. He was not given a Notice of Revocation of Supervision that was signed by the appropriate ICE Official. The Petitioner was not told why he was being detained and he had no opportunity to explain why he should not be detained.

- c. Ground three: Violation of the Administrative Procedures Act under 5 USC § 702 for failing to comply with 8 CFR § 241.4(d)

Supporting FACTS (tell your story BRIEFLY without citing cases or law): The Petitioner has been unlawfully detained for over 90 days. He was informed that ICE would conduct a 90-day custody review on or about September 8, 2025. ICE did not communicate its decision to the Petitioner until he retained counsel and even then ICE did not communicate why the Petitioner was not being released, despite the unlawful 90-day detention.

- d. Ground four: Violation fo the Due Process Clause of the Fifth Amendment to the Constitution, 8 USC 1231, and 8 CFR § 1208.17(b)(2)

Supporting FACTS (tell your story BRIEFLY without citing cases or law): The Petitioner fears that he will be removed to a third country without notice or an opportunity to challenge removal to the third country. ICE has taken the position that it will not provide notice of removal in certain instances.

10. Have you filed previous petitions for habeas corpus, motions under Section 2255 of Title 28, United States Code, or any other applications, petitions, or motions with respect to this conviction? ☐ Yes ☒ No

11. If your answer to Question No. 10 was yes, give the following information:

- a. (1) Name of Court _____
(2) Nature of proceeding _____
(3) Grounds raised _____

(4) Result _____
(5) Date of result _____
(6) Citation or number of any written opinions or orders entered pursuant to each disposition.

- b. (1) Name of Court _____
(2) Nature of proceeding _____
(3) Grounds raised _____

(4) Result _____
(5) Date of result _____
(6) Citation or number of any written opinions or orders entered pursuant to each disposition.

12. If you did not file a motion under Section 2255 of Title 28, United States Code, or if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention:
N/A

13. Are you presently represented by counsel? ☒ Yes ☐ No

If so, provide name, address, and telephone number Andres Ortiz, Esq. 4201 Long Beach Blvd., Ste. 326, Long Beach, CA, 90807 657-243-3768

Case name and court _____

14. If you are seeking leave to proceed *in forma pauperis*, have you completed the declaration setting forth the required information? ☐ Yes ☒ No

WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding,

/s/ Andres Ortiz

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on 10/22/25
Date

(Att'y)
Signature of Petitioner