IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IBRAHIMA CAMARA, Petitioner, v. Field Office Director for Enforcement and Removal Operations, United States Immigration and Customs Enforcement, Respondent.	Case No. 1:25-cv-00740 District Judge Jeffery P. Hopkins Magistrate Judge Peter B. Silvain, Jr.

RESPONSE TO COURT'S ORDER

Respondent hereby submits its Response to this Court's December 4, 2025 Order. (Order, ECF 11.) This Court ordered Respondent to address (1) Petitioner's argument that his federal due process rights were violated by not giving Petitioner notice of the reasons for revocation and an opportunity to be heard (Petition, ECF 1, PageID 8, 10-13), *see e.g., Constantinovici v. Bondi*, No. 3:25-cv-2405, 2025 WL 2898985, at *7 (S.D. Cal. Oct. 10, 2025); and (2) respond to Petitioner's unsuccessful efforts to obtain travel documents from Mauritania in 2016, 2017, and 2018; and (3) provide additional details and documentation regarding the "steps and/or progress the government has made to secure travel documents or otherwise facilitate [Petitioner's removal] from the United States to Mauritania in the reasonably foreseeable future." (*Id.* at PageID 85-86.)

I. FACTUAL BACKGROUND

Petitioner, Ibrahima Camara ("Petitioner" or "Camara"), was ordered removed from the United States on November 28, 2000, and subsequently, released on supervision pursuant to 8 U.S.C. § 1231(a)(3). (Petition, ECF 1, PageID 4, ¶¶13-14; Peng Decl., ECF 9-1, PageID 48, ¶¶7, 12.) Petitioner appealed the Immigration Judge's decision to the Board of Immigration Appeals ("BIA"), but it was dismissed on February 11, 2003. (Petition, ECF 1, PageID 4, ¶13; Peng Decl., ECF 9-1, at PageID 48, ¶¶8-9.) On March 7, 2003, he appealed to the Sixth Circuit, and it was denied on June 23, 2004. (Peng Decl., ECF 9-1, PageID 48, ¶¶10-11.) *See also Camara v. Ashcroft*, 102 F. Appx. 950, 952 (6th Cir. 2004).

Petitioner was placed on an Order of Supervision on January 2, 2014. (OSUP, ECF 10-1, PageID 62.) He requested travel documents in 2016, 2017, and 2018 from Mauritania. (Travel Document Requests, ECF 10-2 and 10-3; Response to Travel Document Request, ECF 10-4.)

On September 3, 2025, Petitioner was arrested by U.S. Immigration and Customs Enforcement ("ICE") after an ICE check-in appointment and has been in ICE custody since at the Butler County Correctional Complex. (Petition, ECF 1, PageID 4, ¶15; Peng Decl., ECF 9-1, PageID 47-48, ¶¶3, 13.)

On September 5, 2025, Petitioner was issued a form I-229a, Warning for Failure to Depart, which he signed. (I-229a, Warning for Failure to Depart, Ex. A.) The I-229a instructed Petitioner to comply and assist with the enforcement of his February 11, 2003 removal order. (*Id.* at 1.) Attached to Form I-229a, an Instruction Sheet signed by the Petitioner, lists the requirements for Petitioner to "complete

within 30 days of receiving [the] form," including "assist[ing] in obtaining a travel document." (*Id.* at 2.)

On September 9, 2025, ICE provided notice to Petitioner that he is detained by ICE, that he is being removed from the United States, and ICE reviewed his case to be considered for release. (Notice to Alien of File Custody Review, Ex. B, at 1; November 24, 2025 Decision to Continue Detention, Ex. C, at 1.)

On September 17, 2025, ICE Enforcement and Removal Operations ("ERO") requested a travel document for Petitioner from Mauritania. (Peng Decl., ECF 9-1, PageID 48, ¶14.) ICE has removed individuals from the United States to Mauritania and there is no reason to think Petitioner cannot be removed when ICE receives his travel document. (*Id.* at PageID 48-49, ¶¶15-17.)

On October 16, 2025, Petitioner submitted evidence in support of his release to ICE. (November 24, 2025 Decision to Continue Detention, Ex. C, at 1.)

ICE ERO expects Petitioner will be removed in the reasonably foreseeable future. (Peng Decl., ECF 9-1, PageID 48-49, ¶¶14-17; November 24, 2025 Decision to Continue Detention, Ex. C, at 1.)

II. ARGUMENT

Petitioner claims that ICE revoked Petitioner's order of supervision, without providing notice as required under 8 C.F.R.§ 241.4(l)(1), violated Petitioner's due process rights under the Fifth Amendment to the U.S. Constitution, the APA,and the INA. (Petition, ECF 1, PageID 8-12). However, 8 C.F.R.§ 241.4(l)(1) does not apply to § 241.4(l)(2)(iii). Petitioner received due process according to § 241.4. And, Petitioner's removal is significantly likely to occur in the reasonably foreseeable

future as ICE ERO requested and is awaiting a travel document for the petitioner from the government of Mauritania. (Peng Decl., ECF 9-1, at PageID 48, ¶14.) Further, ICE is unaware of any institutional barriers that would prevent obtaining travel documents and the petitioner's removal from occurring in the reasonably foreseeable future. (*Id.* at PageID 48-49, ¶¶15-17).

In sum, Petitioner is asking this Court to stop his removal, which this Court has no jurisdiction to do. Thus, the Court should deny and dismiss his Petition.

III. PETITIONER IS LAWFULY DETAINED PENDING REMOVAL.

DHS regulations permit ICE to detain Petitioner in order to effectuate his removal. *See* 8 C.F.R. § 241.4. Addressing the procedure of revocation of release after the removal period, § 241.4(l)(2)(iii), states: "Release may be revoked in the exercise of discretion when, in the opinion of the revoking official . . . [i]t is appropriate to enforce a removal order . . ." 8 C.F.R. § 241.4(l)(2)(iii). That is precisely what happened here. ICE is enforcing Petitioner's removal order and removing him to his home country, Mauritania. (Peng Decl., ECF 9-1; Request #2, 10-3, PageID 71, 75.) Indeed, ICE is authorized to end Petitioner's supervised release and detain him while processing his removal. *Id.*; 8 C.F.R. § 241.4.

In similar recent cases, district courts have denied petitioners a writ of habeas corpus. *See Touray v. Lynch,* No. 1:25-cv-683, 2025 WL 2778271, at *3 (S.D. Ohio Sept. 30, 2025) (no jurisdiction to review challenges to detention for removal and denying TRO because no likelihood of success under *Zadvydas*) ; *Ghamelian v. Baker*, No. 25-02106, 2025 WL 2049981, at *1 (D. Md. July 22, 2025) (neither language of 8 U.S.C. § 1231(a)(6) nor *Zadvydas* supports notion that government's ability to detain alien

expired years ago); *see also Zhen v. Doe*, Case No. 3:25-cv-01507, 2025 WL 2258586, at *5, *11 (N.D. Ohio Aug. 7, 2025) (8 C.F.R. § 241.4(l)(2)(iii) expressly permits detaining an alien when enforcing removal order and recognizing "requests for travel documents support finding of reasonably foreseeable removal.")

IV. RESPONDENT COMPLIED WITH THE DUE PROCESS CLAUSE.

Petitioner's claim that ICE "detained him without notice or the opportunity to be heard, on the decision of an individual without authority to do so, without findings required by law, and in violation of agency rules," and in violation of his due process rights, cannot be sustained. (Petition, ECF 1, PageID 2, 8, 10-13, ¶2.)

The Supreme Court has long recognized that immigration-related decisions of executive branch officers, as in this case, afford due process in the absence of judicial review. "[A]s to 'foreigners who have never been naturalized, nor acquired any domicile or residence within the United States, nor even been admitted into the country pursuant to law,' 'the decisions of executive or administrative officers, acting within powers expressly conferred by Congress, are due process of law.'" *Dep't of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 140 (2020) (quoting *Nishimura Ekiu v. United States*, 142 U.S. 651, 660 (1892)). "Since then, the [Supreme] Court has often reiterated this important rule." *Id.* (citing *United States ex rel. Knauff v. Shaughnessy*, 338 U.S. 537, 544 (1950)), *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 210 (1953), and *Landon v. Plasencia*, 459 U.S. 21, 32 (1982) ("This Court has long held that an alien seeking initial admission to the United States requests a privilege and has no constitutional rights regarding his application, for the power to admit or exclude aliens is a sovereign prerogative").

The essential requirements of procedural due process are: (1) notice; and (2) an opportunity to be heard. *Goldberg v. Kelly*, 397 U.S. 254, 267-68 (1970); *Gorman v. Univ. of R.I.*, 837 F.2d 7, 12 (1st Cir. 1988). A person may be afforded notice and opportunity to be heard at a "meaningful time and in a meaningful manner." *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976).

Petitioner cannot and does not demonstrate that he has been deprived of these requirements.

A. The Notice and Interview Requirements for Revocation of Supervision for Violations of Conditions of Release Under § 241.4(l)(1) Do Not Apply to Revocation of Supervision to Enforce a Removal Order Under §241.4(l)(1)(iii) nor Petitioner.

8 C.F.R. § 241.4(l) governs revocation release for aliens on supervision. § 241.4(l)(1), applies exclusively to aliens who have violated the conditions of their release, and requires notice and an informal interview upon revocation.

In fact, nowhere in § 241.4(l)(2) is there a requirement for an alien to be notified of the reasons for revocation and an informal interview pursuant to § 241.4(l)(1). Because of this, ICE is permitted to use its discretion to revoke an alien's order of supervision without providing for notice or an informal interview pursuant to § 241.4(l)(1).

It makes sense that the notice and informal interview requirement in section 241.4(l)(1) is necessary for aliens who have violated the conditions of their release: those provisions provide such aliens with the opportunity to contest the alleged violations of their release, as criminal defendants are entitled to notice and an

opportunity to be heard when their supervision is revoked. *See* Federal Rule of Criminal Procedure 32.1.

However, the notice and informal interview requirement in § 241.4(l)(1) is unnecessary when revoking supervision under § 241.4(l)(1) in order to effectuate an alien's removal because an alien subject to a removal order already has notice that he or she is subject to removal, having been through removal proceedings and been ordered removed. Indeed, requiring notice and an informal interview for those, with a removal order, who have not violated their conditions of release results in re-litigation of the alien's removal orders.

Here, Petitioner was arrested and detained for the purpose of enforcing his removal order pursuant to section 8 C.F.R. § 241.4(l)(2)(iii), (Petition, ECF 1, PageID 2, ¶4), not for violating the conditions of his release. As a result, § 241.4(l)(1) does not apply to him. Petitioner did not receive specific § 241.4(l)(1) notice advising him that his supervision was revoked for his removal to Mauritania, nor an informal interview in response, in accordance with 8 C.F.R. § 241.4(l)(1), because it was not required under § 241.4(l)(2)(iii).

Because § 241.4(l)(1) does not apply to aliens who are re-arrested and detained for the purpose of enforcing their removal order pursuant to section 8 C.F.R. § 241.4(l)(2)(iii), Respondent did not fail to provide notice and an informal interview. The Petition must be dismissed as to Petitioner's claim that his federal due process rights were violated for failure to provide notice pursuant to § 241.4(l)(1). (Order, ECF 11, at 1.)

B. Petitioner Received Notice and an Opportunity to Respond to his Revocation and Detention.

Simply because § 241.4(l)(1) does not apply to aliens, like Petitioner, who are re-detained for the purpose of enforcing their removal pursuant to section 8 C.F.R. § 241.4(l)(2)(iii), does not mean the Petitioner did not receive due process as required under the 5th Amendment to the United States Constitution. Petitioner received the required due process. Indeed, § 241.4 requires ICE to provide due process when supervision is revoked according to § 241.4(l)(iii). That is: ICE must provide due process according to the "normal review process" if the alien was not release pursuant to § 241.4(l)(1). § 241.4(l)(3). Because Petitioner received the notice and opportunity to respond to his detention for removal from the United States to Mauritania, according to § 241.4, Respondent complied with the Due Process Clause.

Pursuant to the custody review procedures described in § 241.4, ICE is required to provide *all* aliens notice and an opportunity to respond to his or her revocation of release and detention. *See e.g.,* 8 C.F.R. § 241.4(l)(3); § 241.4(d) Custody determinations; § 241.4(g)(5) Alien's compliance and cooperation; § 241.4(h) Custody review procedures; § 241.4(i) Determinations by the Executive Associate Commissioner. Specifically, § 241.4(l)(3) provides that the government will "commence with notification to the alien of a records review and scheduling of an interview, which will ordinarily be expected to occur within approximately three months after release is revoked." Indeed, ICE is required to conduct an initial custody review and provide the alien with notice and the opportunity to respond in writing,

which may also include an interview. § 241.4(h) (1)-(2) and (i). This is exactly what happened here.

Specifically, Petitioner knows that he entered the United States without a valid visa or entry document was ordered removed (which he twice appealed) and is subject to a removal order to Mauritania. (Peng Decl., ECF 9-1, PageID 47-48, ¶4-5, 8-11.) When an alien is released on supervision, removal orders do not disappear. The statute explicitly provides that release is provided "pending removal." 8 U.S.C. § 1231(a)(3).

Petitioner also knew his supervision was revoked for execution of his removal order. (*See* I-229a, Warning for Failure to Depart, Ex. A; Notice to Alien of File Custody Review, Ex. B; Decision to Continue Detention, Ex. C; Petition, ECF 1.) Two days after his arrest and detention, as part of the requirements of § 241.4, Petitioner was issued a form I-229a, Warning for Failure to Depart, which he signed that day. (I-229a, Warning for Failure to Depart, Ex. A.) The I-229a, while instructing Petitioner to comply and assist with the enforcement of his removal order, reminded Petitioner that he is subject to a final order of removal dated February 11, 2003. (*Id.* at 1.) Attached to Form I-229a, an Instruction Sheet lists the requirements for Petitioner to "complete within 30 days of receiving [the] form," and "assist in obtaining a travel document." (*Id.* at 2.) Petitioner also signed the Instruction Sheet on September 5, 2025. (*Id.*)

Petitioner also received notice that he was detained for his removal from the United States. (Notice to Alien of File Custody Review, Ex. B, at 1.) He was provided an opportunity to respond the Custody Review, which he did. (*Id.* at 1; Decision to

Continue Detention, Ex. C, at 1.) Because of this due process, and the current due process of this case, Petitioner has received due process in compliance with the Constitution's Fifth Amendment for the revocation of supervision for removal to Mauritania and current detention.

C. This Court Should Not Apply 8 C.F.R. § 241.4(l)(1) to § 241.4(l)(2)(iii) or Petitioner.

The Respondent recognizes that district courts in the Sixth Circuit, and around the United States, have concluded that the notice and informal interview provisions in § 241.4(l)(1) apply to revocations under section 241.4(l)(2)(iii). *See Constantinovici v. Bondi*, Case No. 3:25-cv-2405, 2025 WL 2898985 (S.D. Cal. October 10, 2025) (finding § 241.4(l)(1) applies to revocations of supervision for removal under section 241.4(l)(2).); *Mbonga v. Raycraft,* No. 4:25-CV-2315, 2025 WL 3122829, at *4 (N.D. Ohio Nov. 7, 2025) ("Respondents argue that [the notice and opportunity due process safeguards in] 241.4(l)(1) do[] not apply to Mr. Mbonga because he did not violate the conditions of his release. However, it does not make sense that someone who does not violate the conditions of their release would be afforded less procedural safeguards than someone who does. Other courts agree."); *K.E.O. v. Woosley*, No. 4:25-CV-74, 2025 WL 2553394, at *5-7 (W.D. Ky. Sept. 4, 2025) (rejecting government's argument that §241.4(l)(1) notice and informal interview not required).

These cases are incorrectly decided, non-binding, and contrary to the plain language and structure of the regulation.

In the *Constantinovici* decision, the district court reasoned that aliens arrested and detained for removal under § 241.4(l)(2)(iii) would be entitled to less due process

than aliens who are re-detained for violating a condition of release. *Constantinovici*, 2025 WL 2898985, at *5 (citing *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 164 (W.D. N.Y. May 2, 2025)). However, this is not necessarily the case, and even if true, aliens arrested for violations of their supervision necessarily require additional due process for each alleged violation resulting in a revocation of supervision on top due process related to their removal orders. The due process required for aliens detained only for enforcement of their removal orders is much less because all that is require by ICE is the determination of whether a significant likelihood of removal exists in the reasonably foreseeable future in order to continue an alien's detention. (*See e.g.*, Decision to Continue Detention, Ex. C., at 1.) Moreover, this determination is not something that can be made immediately, and, not without the alien's help. (*See e.g.*, I-229a, Ex. A; Notice to Alien of File Custody Review, Ex. B.)

Further, there is no requirement that ICE notify an alien prior to revoking their supervision. The regulation contemplates that the normal review process and interview "will ordinarily be expected to occur within approximately three months after release is revoked." § 241.4(l)(3). § 241.4(l)(1) also reflects that the informal interview occurs "after his or her return to Service custody to afford the alien an opportunity to respond to the reasons for revocation stated in the notification." If ICE was required to notify aliens in advance of actual supervision, any number of aliens will immediately absconding or go into hiding to avoid arrest, knowing their removal from the United States is imminent.

Moreover, the argument in the *Zhu v. Genalo* decision in New York, that "'[t]he Government's interpretation of paragraph 241.4(l) would result in imbalanced procedural safeguards for non-citizens' re-detained under § 241.4(l)(2)," incorrectly assumes that no due process is given to one detained under § 241.4(l)(2). *Zhu v. Genalo*, Case No. 1:25-cv-6523, 2025 WL 2452352, *7 (S.D. N.Y. Aug. 26, 2025). That is simply not the case.

As discussed above, pursuant to § 241.4(l)(3), if an alien "is not released from custody following the informal interview provided for in paragraph (l)(1), . . . the HQPDU Director" is required to "schedule the review process," for the alien, which includes notice and scheduling of an interview. § 241.4(h) and (l)(3). Importantly, just because § 241.4(l)(3) mentions the informal interview, does not mean § 241.4(l)(1) should apply to § 241.4(l)(2). § 241.4(l)(3) requires that the custody review procedures begin for all aliens whose supervision has been revoked. § 241.4(l)(3). If an alien is released from custody, commencing the custody review procedures is simply unnecessary.

This Court should not follow the *Constantinovici* decision, and like decisions, which find that § 241.4(l)(1) applies to § 241.4(l)(2)(iii) revocations. Due process is required for all aliens whose supervision is revoked and are not released. They all receive notice and an opportunity to be heard pursuant to § 241.4, *et seq.*, specifically, the custody review procedures set forth in § 241.4(h) and (i).

V. EVEN IF § 241.4(l)(1) APPLIES TO § 241.4(l)(2)(iii), PETITIONER WAS NOT PREJUDICED BY ANY REGULATORY VIOLATION.

Even assuming this Court determines that ICE was required to follow § 241.4(l)(1) for aliens arrested and detained for removal pursuant to § 241.4(l)(2)(iii), and provide notice and informal interview, the Petitioner must demonstrate that he was prejudiced. The Petitioner cannot do so here.

In *Karki v. Raycraft*, (E.D. Mich. Dec. 8, 2025) a petitioner in the Eastern District of Michigan alleged that ICE failed to provide him the required notice and informal interview pursuant to 8 C.F.R. § 241.4(l)(1). *Karki*, 2025 WL 3516782, at *6. The district court found that, even assuming ICE violated its own regulations and failed to provide the petitioner notice and an informal interview under § 241.4(l)(1), "any deprivation of process by the Government's failure to follow its regulatory procedures is harmless," because a showing of prejudice is required. *Id.* at *7. (emphasis added).

The district court explained, "In the context of a due process challenge to a removal order, the Sixth Circuit has found that 'to establish the requisite prejudice, [the alien] must show that the due process violations led to a substantially different outcome from that which would have occurred in the absence of those violations.'" (citing *Graham v. Mukasey*, 519 F.3d 546, 549-550 (6th Cir. 2008)); *see also Abdulahad v. Garland*, 99 F.4th 275, 295 (6th Cir. 2024) (endorsing a limited application of harmless-error doctrine in immigration proceedings).

For example, in *Surovtsev v. Noem*, the district court concluded that ICE's failure to "abide by the requirements of 8 C.F.R. §§ 241.4(l) and 241.13(i)(3) and the error was harmful, a writ of habeas corpus would not be the appropriate remedy." Case No. 1:25-CV-160, 2025 WL 3264479, at *4 (N.D. Tex. Oct. 31, 2025). Indeed, the

district court credited the "procedures in [the federal habeas] case," explaining that, the petitioner in that case, "has clearly been given notice because the respondents have fully explained through briefing and declarations the basis for their conclusion." *Id.* (citing *Nguyen v. Noem*, —— F. Supp. 3d ——, No. 6:25-CV-057, 2025 WL 2737803, *5 (N.D. Tex. Aug. 10, 2025)). The court further concluded that the petitioner "received more than a full notice and an opportunity to be heard, even if the respondents failed to conform to the regulations set forth in section 241.4(l)(1), any error is now harmless in light of the procedures in this case." *Id.*

Petitioner cannot demonstrate prejudice here because he received multiple notices of why he was detained and that he will have the opportunity to respond, which he did. (Notice to Alien of File Custody Review, Ex. B., at 1.) Petitioner's receipt and signature acknowledgement of the Warning for Failure to Depart demonstrates that Petitioner knew he was detained for his removal on September 5, 2025, two days after his arrest and detention. (I-229a, Warning for Failure to Depart, Ex. A, at 1-2.) The Instruction Sheet attached to the I-229a, which Petitioner also signed, instructed Petitioner that his failure to "comply or provide sufficient evidence of your inability to comply, may result in the extension of the removal period and *subject you to further detention*. (*Id.* at 2.) (emphasis added).

On September 9, 2025, Petitioner received additional notice that he was in ICE detention for his removal from the United States. (Notice to Alien of File Custody Review, Ex. B., at 1-2) (quoting "You are detained in the custody of [ICE] and you are required to cooperate with ICE in effecting your removal from the United States.). Petitioner also received an opportunity to respond, and he did. (*Id.* at 1.)

Petitioner then responded as ICE considered materials he submitted on October 16, 2025. (Notice to Alien of File Custody Review, Ex. B; Decision to Continue Detention, Ex. C, at 1.)

On November 24, 2025, ICE found that Petitioner's removal is practicable, in the public interest, and that it expects to receive a Mauritanian travel document for Petitioner in the near future. (Decision to Continue Detention, Ex. C.) As a result, ICE determined that Petitioner's removal is significantly likely to occur in the reasonably foreseeable future. (*Id.* at 1.)

Further, Petitioner filed this Petition for a Writ of Habeas Corpus, a return was filed by Respondent, a reply by the Petitioner, and this response by the Respondent. Petitioner has received due process required by the United States Constitution, even if agency regulations were violated. Petitioner is still subject to a removal order. As a result, Petitioner was not prejudiced. Indeed, any regulatory violation by the Respondent is harmless.

Petitioner received notice that he was detained by ICE to effectuate his removal to Mauritania. He was informed of, and given, the opportunity to contest why his supervision was revoked and that he should be released, which he took advantage. Due process does not entitle him to relitigate his removal order. Any violation is without prejudice as Petitioner received the required due process. This Court should dismiss the Petition.

VI. PETITIONER WILL RECEIVE TRAVEL DOCUMENTS IN THE REASONABLY FORESEEABLE FUTURE, IF NOT, THE REGULATIONS PROVIDE FOR PETITIONER'S RELEASE.

Petitioner claims that his prior requests for travel documents from Mauritania 2016, 2017, and 2018, which went unfulfilled, demonstrate "cogent proof" that Respondent is unlikely to procure travel documents from Mauritania for Petitioner's removal. (Travel Document Requests #1 and #2, 10-2 and 10-3; Response to Travel Document Request, 10-4.)

Petitioner's requests for travel documents seven to almost ten years ago have no relevancy to whether or not Petitioner's removal to Mauritania is significantly likely to occur in the reasonably foreseeable future. Petitioner's aged requests are too remote in time to demonstrate that travel documents are unlikely to be obtained now.

Petitioner's claim that he is effectively stateless is speculative. Petitioner states that "the travel document requested by Petitioner constitutes evidence of his nationality and identity." Reply, ECF 10, PageID 61.) However, Petitioner's own documents demonstrate that he was born in Mauritania. (Request #2, ECF 10-3, PageID 71, 75.)

Further, Petitioner's requests for travel documents, at least in 2018, may not have been successful because Petitioner was without a parentage order. (Response, 10-4.) Petitioner does not allege he cannot obtain a parentage order, if that is all he needs to obtain travel documents. He does not state whether or not he has made a request for a parentage order as he is required to assist in obtaining travel documents. (I-229a, Ex. A, at 1-2.) As such, Petitioner's unsuccessful requests for travel documents in 2016, 2017, and 2018, do not demonstrate that it is unlikely Petitioner will be removed to Mauritania in the reasonably foreseeable future. It is foreseeable

that Petitioner can request and receive all the proper documentation in the near future.

Therefore, it is significantly likely that Petitioner will be removed from the United States to Mauritania in the reasonably foreseeable future.

VII. CONCLUSION

The Petitioner received due process, any error is harmless. Therefore, this Court should dismiss the Petition without prejudice.

Respectfully submitted,

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