



### **Post OSUP revocation**

Petitioner performed his check-ins to ICE since 2023 without issue.

May 7, 2025 Petitioner reported to ICE as part of his OSUP. ICE instructed him to report after six months. But on June 15, 2025 ICE surrounded his car while he was dropping his wife at work.

Petitioner did ask the arresting ICE agents why the arrest after the recent OSUP check-in a month back. The ICE agent's response was "you're on the list".

ICE transported him to the ICE Crosspoint Drive location and ICE did not conduct an interview with the Petitioner. He was then transported to the South Texas ICE Processing Center (STIPC) in Pearsall, TX. During his intake ICE did not interview the Petitioner.

ICE did not conduct an interview with the Petitioner. [8 CFR §241.13(i)(3)]

### **Legality of OSUP revocation**

Petitioner challenges the legality of the OSUP revocation outlined under 8 CFR §241.4 and 8 CFR §241.13. Petitioner claims that ICE has violated the Due Process Clause under the Fifth Amendment of the U.S. Constitution.

The following cases have challenged the legality of OSUP revocation. **Grigorian v. Bondi**, 2025 U.S. Dist. Court, Lexis 175489, U.S. District Court for the Southern District of Florida, September 9, 2025; **Sarail A. v. Bondi**, 2025 U.S. District Lexis 171005, September 3, 2025; **Rokhfirooz v. Larose**, 2025 U.S. District Lexis 180605, U.S. District Court for the Southern District of California, September 15, 2025.

The above cases are not exhaustive.

Informal interviews are not valid since reasons were not given.

ICE has not responded to several requests for copies of warrant and OSUP revocation documents via the STIPC request system, both paper (physical) and the tablet app (electronic).

ICE's failure to provide the Petitioner an informal interview promptly after his detention or to otherwise provide an opportunity to contest reasons for revocation violates both ICE's own regulations [8 CFR §241.4 and 8 CFR §241.13] and the U.S. Constitution Fifth Amendment's Due Process clause. [*Grigorian v. Bondi*, 2025].

### III. PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

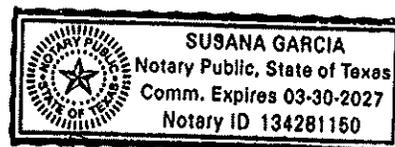
- 1) Assume jurisdiction over this matter;
- 2) Grant Petitioner a **Writ of Habeas Corpus** directing the Respondents to immediately release Petitioner from custody;
- 3) Enter a preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
- 4) Grant any other and further relief that this Court deems just and proper.

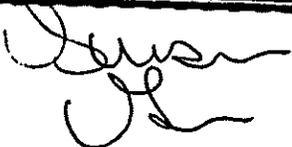
I affirm to the best of my knowledge and belief that the foregoing is true and correct.

### ACKNOWLEDGMENT

SUBSCRIBED TO AND SWORN before me this 14th day of October 2025 that Alejandro Roman Vivar personally appeared and known to me to be the person whose name subscribed to within instrument and acknowledge to be the same.

  
\_\_\_\_\_  
Alejandro Roman Vivar,  
Petitioner



  
10/13/24