




2:25-cv-02075-APG-BNW

PETITION FOR WRIT OF HABEAS CORPUS

ZAREH TANAHAN
 ALIEN No. 
 PETITIONER, PRO SE
 CUSTODY STATUS: DETAINED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

1 Zareh Tanahan

2 Alien No. [REDACTED]

3 Nevada Southern Detention Center

4 2190 East Mesquite Avenue

5 Pahrump, Nevada 89060

6
7 **IN THE UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 Zareh Tanahan,)

Case No.

11 -Petitioner, *Pro Se*,)

INS No. [REDACTED]

12 v.)

13 THE UNITED STATES OF AMERICA,)

Custody Status: **DETAINED**

14 Kristi NOEM, in her Official Capacity,)
15 Secretary of the Department of Homeland Security)

16 Pamela J. BONDI, in her Official Capacity,)
17 Attorney General, Department of Justice,)

18 Kerri Ann QUIHUIS, in her Official Capacity,)
19 ICE Field Office Director, Detention and Removal,)
20 Las Vegas, Nevada (ICE Local))

**Petition for Writ of Habeas
Corpus Pursuant to
28 U.S.C. § 2241**

21 Michael BERNACKE, in his Official Capacity,)
22 Field Office Director, Salt Lake City Field Office,)
23 U.S. Immigration and Customs Enforcement,)

24 Patrick J. LECHLEITNER, in his Official Capacity,)
25 Acting Director, Immigration & Customs Enforcement,)
26)

27 John MATTOS, in his Official Capacity,)
28 Warden of Immigration Detention Facility,)
29 Nevada Southern Detention Center;)

30 -Respondents.)
31)

1 6. In order to permit full judicial review of the claims herein and requested relief, Petitioner
2 respectfully requests that the Court order Respondents not to transfer Petitioner outside
3 the jurisdiction of this Court pending consideration of this Petition.

4 **CUSTODY**

- 5 7. Currently, Petitioner Zareh Tanahan is in the physical custody of the Respondents and
6 U.S. Immigration and Customs Enforcement ("ICE"). Petitioner is detained in the United
7 States at the Nevada Southern Detention Center ("NSDC") in Pahrump, Nevada, where
8 ICE has contracted with "NSDC" to house immigration ICE detainees such as Petitioner.
- 9 8. Petitioner is under the direct control of Respondents and their agents. Petitioner was been
10 detained for about three months without a bond hearing, to date.

11 **PARTIES**

- 12 9. Petitioner is a 54-year-old Christian male, born in Iran and came to the US as a refugee.
13 Petitioner has been in ICE custody for about ⁴~~3~~ months, and has remained in ICE custody
14 continuously since that date. Petitioner was ordered removed on April 2, 2020. Petitioner
15 did not appeal from the removal order, thereby making the removal order Final. ZT
- 16 10. Respondent, UNITED STATES OF AMERICA, issued pursuant to 5 U.S.C. § 703, in
17 which the Administrative Procedures Act provides "[i]f no special statutory review
18 proceeding is applicable, the action for judicial review may be brought against the United
19 States, the agency by its official title, or the appropriate officer".
- 20 11. Respondent Kristi NOEM is sued in her official capacity as the Secretary of the
21 Department of Homeland Security (herein after referred to as "DHS"). In her official
22 capacity she has the responsibility for administration and enforcement of the immigration
23 laws pursuant to section 402 of the Homeland Security Act of 2002, 107 Pub. L. 296, 116
24 Stat. 2135 (Nov. 25, 2002). *See Armentero v. INS*, 340 F.3d 1058 (9th Cir. 2003).

1 12. Respondent Pamela J. BONDI is sued in her official capacity as the Attorney General of
2 the United States. She has responsibility for the administration and enforcement of the
3 immigration laws pursuant to 8 U.S.C. § 1103, and Immigration and Nationality Act §
4 103. As the “INA” has not been amended to reflect the designation of the Secretary of
5 the DHS as the administrator and enforcer of the immigration laws. Equally important,
6 Respondent Pamela J. BONDI is sued in her official capacity to the extent that 8 U.S.C.
7 § 1102 gives her the authority to detain Petitioner. *See Armentero v. INS*, supra. Thus,
8 Pamela J. BONDI is considered a legal custodian of Zareh Tanahan.

9 13. Respondent Kerri Ann QUIHUIS is sued in her official capacity as ICE Field Office
10 Director, Detention and Removal, DHS at Las Vegas, Nevada (ICE Local), who is
11 responsible for the day-to-day operation of detaining and removing aliens in Las Vegas,
12 Nevada.

13 14. Respondent, Michael BERNACKE is the Field Office Director responsible for the Salt
14 Lake City Field Office of ICE Enforcement and Removal Operations, which has
15 administrative jurisdiction over Petitioner’s case. He is a legal custodian of Mr. Zareh
16 Tanahan and is named in his official capacity.

17 15. Respondent, Patrick J. LECHLEITNER is Acting Director of ICE. As the head of ICE,
18 an agency within the U.S. Department of Homeland Security that detains and removes
19 certain noncitizens, Respondent Patrick J. LECHLEITNER is a legal custodian of Mr.
20 Zareh Tanahan. He is named in his official capacity.

21 16. Respondent, John MATTOS, Warden of Nevada Southern Detention Center, where
22 Petitioner is currently detained under the authority of ICE, alternatively may be
23 considered to be Petitioner’s immediate custodian.

24 17. Respondents are the legal custodian of Petitioner and are named in their official capacity.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

1
2 18. Petitioner need not exhaust his administrative remedies. The statute in question, 8 U.S.C.
3 § 1231(a)(6), has no exhaustion requirement. Exhaustion is required only when Congress
4 specifically mandates it. *McCarthy v. Madigan*, 503 U.S. 140, 144 (1992). In all other
5 instances, "sound judicial discretion governs." *Id.* This Court should not require
6 Petitioner to exhaust his administrative remedies.

7 19. Petitioner is being held under mandatory detention without a bond hearing. Even if
8 Petitioner would move for such a hearing, it would be futile as the Immigration Court
9 does not have proper jurisdiction. As such, Petitioner is challenging the constitutionality
10 of the procedures by which ICE reviews the custody status of aliens who cannot be
11 removed within six months, and whose removal is not significantly likely to occur in the
12 reasonably foreseeable future. The administrative remedy is inadequate to address these
13 constitutional grounds for recovery.

14 **JURISDICTION**

15 20. This Nevada District Court holds proper jurisdiction under the Suspension Clause, U.S.
16 Const. art. I § 9, cl. 2. This action arises under the United States Constitution, the
17 Immigration and Nationality Act of 1952, as amended (herein after referred to as "INA"),
18 8 U.S.C. § 1101 *et. seq.*, and the Administrative Procedures Act (herein after referred to
19 as "APA"), 5 U.S.C. §§ 701 *et. seq.*

20 21. This Honorable U.S. District Court for the District of Nevada has proper Habeas Corpus
21 jurisdiction pursuant to 28 U.S.C. §§ 2241 *et. seq.*; Article 1, Clause 2 of the United States
22 Constitution (herein referred to as "Suspension Clause"); and the Common Law. This
23 Court may also exercise jurisdiction pursuant to 28 U.S.C. § 1331, as Petitioner is
24 presently in custody under color of the authority of the United States, and such custody

1 is in violation of the Constitution, laws, and/or treaties of the United States. This Court
2 may grant relief pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201 *et. seq.*, 28
3 U.S.C. § 2241, 5. U.S.C. § 702, and the All Writs Act, 28 U.S.C. § 1651.

4 **VENUE**

5 22. Venue is proper with this Court pursuant to 28 U.S.C. § 1391(c) because the Respondents
6 are employees or officers of the United States, acting in their official capacity, and an
7 agency of the United States. Venue is additionally proper in this U.S. District Court
8 because Petitioner is detained in the District of Nevada, and pursuant to *Braden v. 30th*
9 *Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973). A substantial part of
10 the events giving rise to the claims in this action took place within this District.

11 **FACTS AND PROCEDURAL HISTORY**

12 23. Petitioner was born in Iran entered the United States with his family, including his mother
13 and twin brother and received refugee status. Petition was taken into ICE custody.

14 24. Despite the passage of over five years, ICE has been unable to effectuate Petitioner's
15 removal to Iran because the United States does not repatriate individuals to Iran. Under
16 *Zadvydas v. Davis*, 533 U.S. 678 (2001), Petitioner's detention is no longer reasonably
17 related to removal and has become arbitrary, indefinite, and unlawful.

18 25. On April 2, 2020 an Immigration Judge in Nevada ordered Petitioner removed from the
19 United States. Yet, DHS has not removed him from the US, but rather released him from
20 ICE detention. There is no indication that Petitioner will be removed in the future.

21 26. Regarding appeals, Petitioner did not appeal the removal order thus, making it a final
22 order of removal since.

23 27. The United States does not currently repatriate individuals to Iran, making Petitioner's
24 removal not reasonably foreseeable.

1 28. Petitioner has complied fully with ICE directives and with all conditions set by the U.S.
2 District Court in his prior criminal matter.

3 29. Petitioner's immediate family depends on his presence. For example, his twin brother, a
4 U.S. citizen, is 100% paraplegic and relies entirely on Petitioner for daily care. To make
5 matters worse, Petitioner's mother, a 75-year-old U.S. citizen with her own medical
6 conditions, is unable to assume these caregiving responsibilities. Both his mother and
7 twin brother would suffer irreparable harm if Petitioner remains detained indefinitely.

8 30. Again, since Petitioner's removal order was final in April 2, 2020, ICE has been unable
9 to remove Petitioner to his home country, Iran and there is no indication that ICE will
10 execute removal in the reasonably foreseeable future. In addition, ICE has been unable
11 to remove Petitioner to any other country.

12 31. Petitioner has cooperated fully with all of ICE's efforts to remove Petitioner from the
13 United States. Petitioner has cooperated with ICE in the following ways: Petitioner has
14 fully complied with ICE's directives and has taken several steps in contacting the
15 Consulate and Embassy for Iran, but to no avail.

16 32. Respondents and ICE has been unable to remove Petitioner from the United States. Here,
17 ICE is unlikely to remove Petitioner in the reasonably foreseeable future to Iran. No other
18 country has accepted Petitioner, nor can Respondents produce otherwise. This case
19 warrants an emergency injunction relief.

20 33. Regarding Petitioner's detention, he has been in ICE custody for about ^{four}~~three~~ months and
21 there is no clear indication that ICE will remove Petitioner in the foreseeable future. ZT

22 34. Petitioner is being detained by ICE without a bond hearing. Here, ICE is unable to carry
23 out the removal order. Even more, the Consulate has not issued travel documents and
24 there is no certainty as to when, if ever, such travel documents will be issues.

1 35. If released, Petitioner will reunite with his mother and twin brother.

2 **LEGAL ARGUMENT**

3 36. Petitioner's removal is not reasonably foreseeable. ICE has been unable to remove
4 Petitioner since April 2020. The United States has no repatriation agreement with Iran,
5 making removal practically impossible. Under *Zadvydas*, detention has become
6 indefinite and unlawful.

7 37. The prolonged detention violates due process. Petitioner has been detained far beyond
8 the presumptively reasonable six-month period established in *Zadvydas*. Continued
9 detention serves no legitimate government purpose once removal is not achievable.

10 38. Humanitarian equities strongly support release. Petitioner's U.S. citizen twin brother and
11 elderly mother both rely on him for care. His detention imposes extreme hardship on U.S.
12 citizens, contrary to principles of justice and proportionality.

13 39. Petitioner is not a danger to the community or a flight risk. While Petitioner has prior
14 drug-related convictions, he complied fully with the District Court's conditions and with
15 ICE supervision. His family ties and history of compliance demonstrate that release under
16 appropriate conditions is warranted.

17 40. This action arises under the Constitution of the United States and the Immigration and
18 Nationality Act ("INA") §§ 101-507, 8 U.S.C. § 1101-1537, amended by the Illegal
19 Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208,
20 110 Stat. 3009-1570.

21 41. As the Supreme Court held in *Zadvydas v. Davis*, 533 U.S. 678 (2001), non-citizens
22 cannot be detained indefinitely if the government is unable to carry out their removal.
23 Instead, detention after a final order of removal is authorized only when removal is
24 reasonably foreseeable.

1 42. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that post-removal-
2 order detention is limited to a period reasonably necessary to effectuate removal,
3 generally up to six months. However, once removal is not reasonably foreseeable,
4 continued detention violates the Due Process Clause.

5 43. The Ninth Circuit has consistently applied *Zadvydas* to require release where removal is
6 not significantly likely in the reasonably foreseeable future. *See Diouf v. Mukasey*, 542
7 F.3d 1222 (9th Cir. 2008); *Nadarajah v. Gonzales*, 443 F.3d 1069 (9th Cir. 2006).

8 44. This Court should hold that detention after a final order may be unlawful even when six
9 months have not passed, particularly if it is clear that the United States will not be able
10 to effect a non-citizen's removal. But after that six-month period, once a non-citizen
11 provides "good reason to believe that there is no significant likelihood of removal in the
12 reasonably foreseeable future, the Government must respond with evidence sufficient to
13 rebut that showing." And the longer a non-citizen has been detained, the stronger the
14 government's showing must be.

15 45. Petitioner is entitled to release under the framework of *Zadvydas* unless the government
16 promptly demonstrates that there is a significant likelihood of removal in the reasonably
17 foreseeable future.

18 46. The Due Process clause applies to all persons in the United States, "whether their
19 presence here is lawful, unlawful, temporary, or permanent." *Zadvydas*, 533 U.S. at 693.

20 47. In *Zadvydas*, the Supreme Court emphasized, "[f]reedom from imprisonment—from
21 government custody, detention, or other forms of physical restraint—lies at the heart of
22 the liberty that [the Due Process] Clause protects." 533 U.S. at 690 (citing *Foucha v.*
23 *Louisiana*, 504 U.S. 71, 80 (1992)). That Court noted, "[a] statute permitting indefinite
24 detention of an alien would raise a serious constitutional problem." *Id.*; *see also, Plyer v.*

1 *Doe*, 457 U.S. 202, 210 (1982) ("Aliens, even aliens whose presence in this country is
2 unlawful, have long been recognized as 'persons' guaranteed due process of law by the
3 Fifth and Fourteenth Amendments.").

4 48. Under 8 U.S.C. § 1231(a)(2), non-citizens subject to final orders of removal "shall" be
5 detained during the first 90 days—the "removal period"—and they "shall" be removed
6 during that period under § 1231(a)(1). Under 8 U.S.C. § 1231(a)(6), the government
7 "may" continue detention beyond the 90-day removal period if a non-citizen falls within
8 certain broad categories of removability or is determined "to be a risk to the community
9 or unlikely to comply with the order of removal." 8 U.S.C. § 1231(a)(6).

10 49. In *Zadvydas*, the Supreme Court construed 8 U.S.C. § 1231(a)(6) to authorize detention
11 only where it is significantly likely that removal will occur in the reasonably foreseeable
12 future, in order to avoid the serious due process concerns that would be presented by
13 permitting detention for an indefinite period of time. *Zadvydas*, 533 U.S. at CITE. After
14 a non-citizen meets his or her initial burden to show that no such likelihood of removal
15 exists, the burden shifts to the Government to "respond with evidence sufficient to rebut
16 [the alien's] showing." *Id.* at 701.

17 50. Courts have rejected conclusory claims by ICE agents which claim, without submitting
18 concrete factual information about scheduled flights or repatriation agreements, that
19 removal is imminent. "[A] theoretical possibility of eventually being removed does not
20 satisfy the government's burden once the removal period has expired and the petitioner
21 establishes good reason to believe his removal is not significantly likely in the reasonably
22 foreseeable future." *Balza v. Barr*, No. 6:20-CV-00866, 2020 WL 6143643, at *5 (W.D.
23 La. Sept. 17, 2020) (internal quotation marks and citation omitted).

24 51. "[I]f [ICE] has no idea of when it might reasonably expect [Petitioner] to be repatriated,

1 [a] Court certainly cannot conclude that [a] removal is likely to occur—or even that it
2 might occur—in the reasonably foreseeable future." *Id.* at *5 (internal quotation marks
3 and citation omitted). *See also, Gomez Barco v. Witte*, No 6:20-CV-00497, 2020 WL
4 7393786 (W.D. La. Dec. 16, 2020) (ordering release of a petitioner who was detained
5 longer than six months because ICE had not been able to secure necessary travel
6 documents, noting that the ICE officer "clearly has no factual basis for his 'belief' that
7 there is no foreseeable impediment to Petitioner's removal or that her removal is
8 imminent," and that there was no foundation for the "expectation" that the COVID-19
9 related travel restrictions in place would soon be lifted); *Balza v. Barr*, No. 6:20-CV-
10 00866, 2020 WL 6064881 (W.D. La. Oct. 14, 2020) (same).¹ In granting Ms. Balza's
11 release, the court considered and rejected a conclusory declaration by a local ICE
12 Assistant Field Officer that removal was imminent. *Id.* at *5.

13 52. In *Alexis v. Smith*, the petitioner, Mr. Alexis, had been in detention for almost a year and
14 subject to a removal order for over a year. An ICE official testified to an informal
15 agreement that permitted removals but acknowledged that there were far fewer removals
16 to Haiti in the aftermath of the 2010 hurricane. The Haitian government had an issue with
17 identity documents and it was unknown when that would be resolved. The magistrate did

¹ Other district courts in the Fifth Circuit and elsewhere have similarly granted habeas relief when the noncitizen has shown that there is no significant likelihood of removal in the reasonably foreseeable future. *See, e.g., Carreno v. Gillis*, No. 5:20-cv-44-KS-MTP, 2020 WL 8366735 (S.D. Miss. Dec. 16, 2020) (granting habeas relief to petitioner detained for approximately sixteen months due to lack of diplomatic relations with Venezuela); *Ali v. Dep't of Homeland Sec.*, 451 F. Supp. 3d 703 (S.D. Tex. 2020) (granting habeas relief to petitioner initially detained for three years, released and detained again for four months when petitioner could not be removed due to travel restrictions to Pakistan); *Sharifi v. Gillis*, No. 5:20-cv-5-DCB-MTP, 2020 WL 7379211 (S.D. Miss. Oct. 9, 2020) (granting habeas relief to petitioner detained for seventeen months after Iranian officials failed to respond to a travel document request for more than seven months).

1 not credit ICE's vague statements that it was "endeavoring to rectify the issue" and
2 concluded there was no end in sight for detention, and recommended release. The District
3 Court Judge agreed and ordered released. ICE then released Mr. Alexis on an Order of
4 Supervised Release and moved to get the judgment vacated on mootness, which it was.
5 However, this does not invalidate the reasoning and conclusions of the Magistrate Judge
6 and District Court Judge on this subject, and this case is till informative and persuasive
7 to the body of law on this subject. *Alexis v. Smith*, No. CIV.A. 11-0309, 2011 WL 3924247
8 (W.D. La. Aug. 3, 2011), report and recommendation adopted, No. CIV.A. 11-0309, 2011
9 WL 3954945 (W.D. La. Sept. 6, 2011), vacated, No. CV 11-00309 2011 WL 13386020
10 (W.D. La. Sept. 15, 2011).

11 53. Courts in the Louisiana District have—pursuant to *Zadvydas*—released individuals who
12 have been detained for over six months. *See, e.g., Gomez Barco*, 2020 WL 7393786
13 (ordering release of an immigrant detainee who was a native and citizen of Venezuela
14 who was detained longer than six months because ICE had not been able to secure
15 necessary travel documents); *Balza*, 2020 WL 6143643, at *5 (ordering release of
16 petitioner and noting that "[a]fter more than a year of detention, Petitioner's removal need
17 not necessarily be imminent, but it cannot be speculative") (internal quotation marks
18 omitted). Under *Zadvydas*, courts have found that there is no significant likelihood of
19 removal and granted relief where:

- 20 ▪ No country will accept the petitioner. *See, e.g., Jabir v. Ashcroft*, No. 03-2480,
21 2004 WL 60318 (E.D. La. Jan. 8, 2004) (granting habeas relief to petitioner
22 detained for more than fourteen months after numerous countries refused to
23 repatriate the petitioner).²

² *See also Hassoun v. Sessions*, No. 18-CV-586-FPG, 2019 WL 78984, at *4 (W.D. N.Y. Jan. 2, 2019) (ordering release of petitioner detained fourteen months after petitioner showed "that the countries with which he has any affiliation will not accept him"); *Yusupov v. Love*, No. 4:CV-06-1804, 2007 WL 5063231 (M.D. Pa. Jan. 12, 2007); *Abel-Muhti v. Ashcroft*, 314 F.

- 1 ▪ The petitioner's country of origin refuses to issue a travel document. *See, e.g.,*
 2 *Alexis v. Smith*, No. 11-0309, 2011 WL 3924247 (W.D. La. Aug. 3, 2011)
 3 (granting habeas relief to petitioner detained for approximately one year due to
 4 the Haitian government rejecting the quality of identity documents provided);
 5 *Fermin v. Dir. of Immigr. & Customs Enft*, No. 2:06-cv-1578, 2007 WL 2284606
 6 (W.D. La. May 23, 2007) (granting habeas relief to petitioner detained for fifteen
 7 months due to Trinidad's refusal to issue travel documents); *Lijadu v. Gonzales*,
 8 No. 06-1208, 2006 WL 3933850 (W.D. La. Dec. 18, 2006) (granting habeas relief
 9 to petitioner detained nineteen months because Nigeria refused to issue travel
 10 documents due to petitioner's HIV status).³
 11
 12 ▪ There is no removal agreement between the United States and a country. In these
 13 scenarios, courts have found that the lack of a formal agreement regarding
 14 repatriation, lack of diplomatic relationship, and lack of a functioning
 15 government support a finding that there is no significant likelihood of removal.
 16 *See, e.g., Negusse v. Gonzales*, No. 06-1382, 2007 WL 708615 (W.D. La. Mar. 1,
 17 2007) (granting habeas relief to petitioner detained for approximately one year
 18 because the United States did not have a repatriation agreement with Ethiopia and
 19 Ethiopia would not issue travel documents because one of petitioner's parents was
 20 not Ethiopian).⁴
 21
 22 ▪ There is no response from a country designated for removal or a significant delay
 23 in receiving a response. *See, e.g., Gonzalez-Rondon v. Gillis*, 5:19-cv-109-DCB-
 24 MTP, 2020 WL 3428983 (S.D. Miss. June 23, 2020) (granting habeas relief to

Supp. 2d 418 (M.D. Pa. 2004) (ordering release of petitioner detained approximately two years after refusal of several countries to accept petitioner).

³ *See also Ka v. Bureau of Immigr. & Customs Enft*, No. B-07-197, 2008 WL 11462867, at *8 (S.D. Tex. June 24, 2008) (ordering release of petitioner detained twelve months after Senegal "refused to issue Ka a travel document because he d[id] not have proper identity documentation"); *Moreira v. Gonzales*, No. CIVA CV05-588 A, 2006 WL 3861972 (W.D. La. Nov. 2, 2006) (granting habeas relief to petitioner detained for three years because Cape Verde advised that it would not accept the petitioner for repatriation); *Khan v. Gonzales*, 481 F. Supp. 2d 638 (W.D. Tex. 2006).

⁴ *See also Gomez Barco*, 2020 WL 7393786; *Islam v. Kane*, No. CV-11-515-PHX-PGR (LOA), 2011 WL 4374226, at *3 (D. Ariz. Aug. 30, 2011) (ordering release of petitioner detained ten months where petitioner presented evidence that Bangladesh "is one of fifteen countries identified by ICE as least likely to issue travel documents"); *Carreno*, 2020 WL 8366735; *Simoza Rangel v. Gillis*, No. 5:19-cv-118-DCB-MTP, 2020 WL 7223258 (S.D. Miss. Sept. 2, 2020) (granting habeas relief to petitioner detained for sixteen months due to a lack of diplomatic relations with Venezuela); *Abduelle v. Gonzales*, 422 F. Supp. 2d 774 (W.D. Tex. 2006) (concluding that the petitioner met the burden to show removal was not reasonably foreseeable after being detained for more than one year when an injunction restricted the government's ability to remove the petitioner to Somalia).

petitioner detained thirteen months where there was no response from Venezuelan officials).⁵

- ICE fails to take action to secure travel documents for a prolonged period. *See, e.g., Senor*, 401 F. Supp. 3d at 430-31 (granting habeas relief after ICE initially requested travel documents but where "there [w]as no indication from the record that anyone ha[d] taken any further action in the eight months since that time . . . to facilitate Senor's receipt of the necessary travel documents").⁶

54. As the length of detention grows, the period of time that would be considered the "reasonably foreseeable future" shrinks. *See, e.g., Zadvydas*, 533 U.S. at 701 (stating that as the length of time in detention grows "what counts as the 'reasonably foreseeable future' conversely would have to shrink"); *Senor*, 401 F. Supp. 3d at 430 ("[T]he passage of time combined with the 'government [being] no closer to . . . repatriating [a detainee] than they were once they first took him into custody' [is] sufficient to meet that 'initial burden.'"); *Lawrikow*, 2009 WL 2905549, at *12. Here, Respondents have not removed Petitioner to Iran and there is no likelihood that his removal will occur in the future.

55. Petitioner's continued detention is unlawful, and Petitioner is unlikely to be removed in the reasonably foreseeable future. Therefore, Petitioner's detention violates the statute and

⁵ *See also Sharifi*, 2020 WL 7379211; *Aung v. Barr*, No. 20-CV-681-LJV, 2020 WL 451465 (W.D. N.Y. Aug. 10, 2020); *Edwards v. Barr*, No. 4:20cv350-WS-MAF, 2020 WL 6747737 (N.D. Fla. Oct. 14, 2020); *Raul v. Barr*, No. 6:20-CV-06215 EAW, 2020 WL 3972319 (W.D. N.Y. July 14, 2020); *Rodriguez Del Rio v. Price*, No. EP-20-CV-00217-FM, 2020 WL 7680560 (W.D. Tex. Nov. 3, 2020); *Singh v. Whitaker*, 362 F. Supp. 3d 93 (W.D. N.Y. 2019); *Butt v. Holder*, No. CA 08-0672-CG-C, 2009 WL 1035354 (S.D. Ala. Mar. 19, 2009) (holding that petitioner met his initial burden where he was held in ICE custody for more than ten months after the issuance of his removal order with no indication from the Pakistan Embassy that travel documents would be issued); *Lawrikow v. Kollus*, No. CV-08-1403-PHX-GMS (LOA), 2009 WL 2905549 (D. Ariz. July 27, 2009); *Reid v. Crawford*, No. 06-02436-PHX-JWS (MEA), 2007 WL 1063413 (D. Ariz. Jan. 31, 2007); *Gui v. Ridge*, No. 3CV031965, 2004 WL 1920719 (M.D. Pa. Aug. 13, 2004); *Shefqet v. Ashcroft*, No. 02 C 7737, 2003 WL 1964290 (N.D. Ill. Apr. 28, 2003).

⁶ *See also Chun Yat Ma v. Asher*, No. C11-1797 MJP, 2012 WL 1432229, at *4 (W.D. Wash. Apr. 25, 2012) (ordering petitioner's release where the government failed "to provide any documentation of efforts . . . to effectuate removal . . . [for] nearly six months").

1 he is entitled to immediate release.

2 56. Here, this Court should hold that civil immigration detention violates due process if it is
3 not reasonably related to its statutory purpose. *See id.* (citing *Jackson v. Indiana*, 406
4 U.S. 715, 738 (1972)). In the immigration context, the Supreme Court has recognized
5 only two valid purposes for civil detention: to mitigate the risk of flight and prevent
6 danger to the community. *Id.* Petitioner's prolonged civil detention, which is likely to
7 continue indefinitely, is no longer reasonably related to the primary statutory purpose of
8 ensuring imminent removal. Thus, Petitioner's detention violates Petitioner's right to due
9 process. To the extent ICE may argue that it can continue indefinitely detaining Petitioner
10 on the grounds that he is "specially dangerous", ICE has not even attempted to comply
11 with its own extensive procedures to obtain such a classification. *See* 8 C.F.R. §
12 241.14(f)-(g), (i). *See also, Sharifi v. Gillis*, No. 5:20-cv-5-DCB-MTP, 2020 WL 7379211
13 (S.D. Miss. Oct. 9, 2020) (granting habeas relief to petitioner detained for seventeen
14 months after Iranian officials failed to respond to a travel document request for more than
15 seven months). Respondents have not removed Petitioner since 2020 and Respondents
16 cannot provide a date where Petitioner would be removed in the foreseeable future.

17 57. This is a case where ICE has not obtained a certification of special dangerousness from
18 the Commissioner, it has not ordered that Petitioner undergo a medical examination, and
19 it has not initiated a reasonable cause proceeding in Immigration Court. In fact, ICE's
20 own regulations provide that without proving "special dangerousness" by clear and
21 convincing evidence before an IJ, ICE does not have the ability to indefinitely detain an
22 alien who has no significant likelihood of being removed within a six-month period.

23 58. In short, ICE has not followed its own rules, or the due process demanded by the United
24 States Constitution and by *Zadvydas*. It follows that ICE's assertions that Petitioner can

1 be indefinitely detained due to his criminal record should carry no weight whatsoever in
2 this Court's determination. Even with a request for travel documents from Iran or
3 Consulate, the fact is that no travel documents have been issued to date. Because all of
4 the Consulates have not issued travel documents, and there is no evidence when, if ever,
5 travel documents will be issued, ICE has not satisfied its burden, therefore, Petitioner
6 must be released. *See Shefqet v. Ashcroft*, No. 02 C 7737, 2003 WL 1964290, *5 (N.D.
7 Ill. Apr. 28, 2003) (INS failed to carry burden of proof where no travel documents had
8 been issued, Yugoslavian alien had been detained for 17 months, and INS had been able
9 to remove other aliens to Yugoslavia during that period).

10 59. This is a case where no country has issued any travel documents and there is no clear
11 indication as to when, if ever, such travel documents will be issued. Thus, Petitioner's
12 removal is not significantly likely to occur in the reasonably foreseeable future. *See*
13 *Habtegabrer v. Jenifer*, 256 F. Supp. 692, 697-98 (E.D. Mich. 2003) (Ethiopian national
14 ordered released after 7 months' detention where neither Ethiopia nor Eritrea responded
15 to INS's request for travel documents); *Okwilagwe v. Immigration & Naturalization*
16 *Service*, No. 3-01-CV-1416-BD, 2002 WL 356758, *3 (N.D. Tex. Mar. 1, 2002) (alien
17 from Nigeria in custody for 11 months ordered released under Zadvydas because INS did
18 not have travel documents in hand and there was no certainty as to when such documents
19 might be issued); *see also, Lewis v. Immigration & Naturalization Service*, No.
20 00CV0758(SJ), 2002 WL 1150158, *4-5 (E.D. N.Y. May 7, 2002) (alien from Barbados
21 provided "good reason" to believe removal not likely to occur in the reasonable
22 foreseeable future where consulate had not responded to INS requests for travel
23 documents and alien had been detained longer than six months).

24 60. Taken as a whole, Petitioner's indefinite detention violates the detention statute and is

1 unconstitutional. Therefore, Petitioner respectfully requests that this Court order
2 Respondents to show cause why the writ should not be granted "within three days unless
3 for good cause additional time, not exceeding twenty days, is allowed," and set a hearing
4 on this Petition within five days of the return, pursuant to 28 U.S.C. § 2243 and grant the
5 Writ of Habeas Corpus ordering Respondents to immediately release Petitioner.

6 **IN THE ALTERNATIVE, AN EMERGENCY INJUNCTION RELIEF IS**
7 **WARRANTED TO PREVENT IRREPARABLE HARM**

8 61. Petitioner respectfully requests that this Court issue an emergency injunction ordering
9 his immediate release from ICE custody or, in the alternative, a constitutionally adequate
10 bond hearing. Injunctive relief is appropriate where the petitioner demonstrates: (1) a
11 likelihood of success on the merits, (2) irreparable harm absent relief, (3) that the balance
12 of equities tips in his favor, and (4) that the public interest supports relief. *Winter v. Nat.*
13 *Res. Def. Council*, 555 U.S. 7, 20 (2008); *Alliance for the Wild Rockies v. Cottrell*, 632
14 F.3d 1127, 1131 (9th Cir. 2011) (a serious question going to the merits plus a balance of
15 hardships that tips sharply toward the petitioner also supports injunctive relief).

16 **A. Likelihood of Success on the Merits**

17 62. Petitioner has demonstrated a high likelihood of success. His prolonged detention
18 without a constitutionally adequate bond hearing violates the Fifth Amendment's Due
19 Process Clause. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (civil detention must
20 bear a reasonable relation to its purpose and cannot be indefinite); *Singh v. Holder*, 638
21 F.3d 1196, 1203–04 (9th Cir. 2011) (government bears the burden of proving danger or
22 flight risk by clear and convincing evidence in prolonged detention cases). Because DHS
23 has failed to justify Petitioner's continued detention under the appropriate legal standard,
24 success on the merits is likely. DHS has also failed to remove Petitioner since 2020.

1 **B. Irreparable Harm**

2 63. Petitioner suffers ongoing irreparable harm every day that his liberty is restrained in
3 violation of due process. Prolonged detention imposes significant psychological and
4 physical hardship and impedes Petitioner's ability to meaningfully participate in his
5 defense. The Ninth Circuit has recognized that "prolonged detention without adequate
6 procedural protections would raise serious constitutional concerns." *Rodriguez v.*
7 *Robbins*, 804 F.3d 1060, 1074 (9th Cir. 2015), *vacated on other grounds*, 138 S. Ct. 830
8 (2018). The deprivation of liberty is the quintessential form of irreparable harm.

9 64. Petitioner's continued detention causes ongoing and irreparable harm not only to himself
10 but also to his twin brother, who is 100% paraplegic and completely immobilized.
11 Petitioner is his brother's sole caregiver and provides the daily assistance necessary for
12 his survival. Their 75-year-old mother, a U.S. citizen, suffers from age-related health
13 complications that render her unable to provide such care. Petitioner's prolonged
14 detention therefore places his brother at an elevated risk of irreparable harm—and
15 potentially fatal consequences—due to the sudden loss of his only source of care, support
16 and medical assistance.

17 65. The Supreme Court in *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001), recognized that
18 indefinite or unjustified immigration detention raises serious constitutional concerns and
19 violates the due process protections of the Fifth Amendment when it no longer serves a
20 legitimate government purpose. Courts have further held that habeas relief is warranted
21 where detention imposes extraordinary hardship or threatens irreparable harm to the
22 detainee or dependent family members. *See Akinwale v. Ashcroft*, 287 F.3d 1050, 1052
23 (11th Cir. 2002) (acknowledging the constitutional limits on prolonged post-removal-
24 order detention); *Sopo v. U.S. Att'y Gen.*, 825 F.3d 1199, 1217 (11th Cir. 2016), *vacated*

1 on other grounds, 890 F.3d 952 (11th Cir. 2018) (holding that due process requires
2 meaningful review to ensure detention remains justified).

3 66. Similarly, the Ninth Circuit has made clear that detention must be supported by
4 continuous, individualized findings and that prolonged confinement without such
5 justification violates due process. *See Diouf v. Napolitano*, 634 F.3d 1081, 1086–88 (9th
6 Cir. 2011) (holding that prolonged detention under § 1231(a)(6) requires a bond hearing
7 where the government must show dangerousness or flight risk by clear and convincing
8 evidence).

9 67. Federal courts have consistently recognized that habeas corpus relief is appropriate when
10 the deprivation of liberty causes significant humanitarian consequences. *See Sivaraman*
11 *v. U.S. Dep't of Homeland Sec.*, 486 F. Supp. 3d 1077, 1085 (N.D. Cal. 2020) (granting
12 habeas relief where petitioner's prolonged detention had devastating effects on his health
13 and family). Here, the government's continued detention of Petitioner serves no
14 legitimate purpose and inflicts profound harm on his vulnerable family members—harm
15 that cannot be undone by later judicial relief. Because these facts demonstrate both a
16 constitutional violation and the existence of irreparable injury, the Court should exercise
17 its equitable authority under 28 U.S.C. § 2241 to grant habeas relief and order Petitioner's
18 immediate release.

19 **C. Balance of Equities**

20 68. The balance of equities strongly favors Petitioner's release. The government's interest in
21 ensuring attendance at removal proceedings can be met through less restrictive means,
22 such as bond or supervision, particularly where Petitioner has taken steps of rehabilitation
23 and no record of absconding. *See Valdez-Jimenez v. Eighth Judicial Dist. Ct.*, 460 P.3d
24 976, 992 (Nev. 2020) (holding that due process requires individualized findings before

1 continued pretrial detention). Continued detention imposes significant hardship on
2 Petitioner, while release under reasonable conditions poses no harm to the government.

3 **D. Public Interest**

4 69. The public interest is always served by upholding constitutional rights and preventing
5 unlawful detention. *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (recognizing
6 that enforcement of constitutional rights is in the public interest). Prompt judicial
7 intervention will preserve the integrity of removal proceedings and reinforce the rule of
8 law. Public interests favor Petitioner's release as DHS has yet to deport him to Iran.

9 i. **ICE's Custody Review Process Is Constitutionally Inadequate,**
10 **Leaving Habeas Corpus as the Only Available Remedy**

11 70. ICE's post-order custody reviews at 90 and 180 days are not meaningful substitutes for
12 judicial review. These reviews are conducted entirely within the agency, lack transparent
13 standards, provide no guaranteed opportunity to present evidence or rebut government
14 assertions, and result in decisions that are unappealable. Such a process fails to meet the
15 minimum requirements of due process.

16 71. Even if Petitioner were to wait for the 180-day custody review, there is no assurance that
17 ICE would provide a fair hearing or a reasoned decision, leaving Petitioner at risk of
18 indefinite and unreviewable detention—a result the Supreme Court condemned in
19 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). The lack of an effective administrative
20 remedy underscores the need for this Court's intervention through habeas corpus. As the
21 Supreme Court reaffirmed in *Boumediene v. Bush*, 553 U.S. 723, 745 (2008), the Great
22 Writ is a critical safeguard against unlawful executive detention and ensures that no
23 person is deprived of liberty without judicial review.

24 72. Because no other remedy exists to challenge DHS/ICE's arbitrary detention decisions,

1 habeas corpus relief is proper and necessary to protect Petitioner’s constitutional rights.

2 ii. **Respondent’s Arbitrary Detention Decisions Are Unlawful**
3 **and Deprive Petitioner of Due Process**

4 73. DHS and ICE have acted in an arbitrary and capricious manner by cherry-picking arrests
5 and selectively detaining noncitizens like Petitioner without a reasoned basis or
6 individualized assessment. Administrative detention must be rationally related to its
7 purpose—to secure attendance at proceedings or protect the public—and cannot be
8 punitive or arbitrary. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (civil detention must
9 bear a reasonable relation to its purpose); *Judulang v. Holder*, 565 U.S. 42, 53 (2011)
10 (agency action must be based on a reasoned explanation and not arbitrary decision-
11 making). DHS has failed to deport Petitioner since 2020 and thus warrants release.

12 74. DHS denied Petitioner’s 90-day custody review without any meaningful explanation and
13 with no opportunity to present evidence or rebut allegations. This lack of procedural
14 safeguards renders the review process constitutionally deficient. The Ninth Circuit has
15 consistently held that the government must provide individualized determinations and
16 consider less restrictive alternatives to detention.

17 75. Moreover, even if Petitioner were to wait until the 180-day custody review, there is no
18 guarantee that DHS/ICE would provide a fair opportunity to seek release. ICE’s post-
19 order custody reviews are entirely discretionary, lack transparent standards, and provide
20 no mechanism for appeal if denied. This leaves Petitioner in a state of indefinite and
21 unreviewable detention, a situation the Supreme Court condemned in *Zadvydas*, 533 U.S.
22 at 690 (holding that indefinite detention raises serious constitutional concerns).

23 76. Because no other adequate remedy exists to challenge this unlawful detention—and
24 because continued detention without judicial oversight would result in irreparable harm

1 and injury—this Court’s intervention through habeas corpus relief is not only proper but
2 necessary. The writ of habeas corpus serves as a critical check on executive overreach
3 and unlawful deprivation of liberty. *See Boumediene v. Bush*, 553 U.S. 723, 745 (2008)
4 (habeas corpus is a fundamental safeguard against arbitrary detention).

5 77. The Ninth Circuit has likewise emphasized that due process requires a neutral decision-
6 maker and individualized determinations supported by clear and convincing evidence.
7 *Singh v. Holder*, 638 F.3d 1196, 1203–04 (9th Cir. 2011). DHS’s failure to provide a fair
8 custody review or viable appeal rights leaves Petitioner in prolonged detention without
9 meaningful process, warranting this Court’s intervention and immediate release through
10 the Great Writ of habeas corpus.

11 **iii. Respondent’s Cherry-Picking Arrests Are Arbitrary,**
12 **Capricious, and Violate Petitioner’s Rights as a Refugee**

13 78. ICE’s decision to arrest Petitioner despite his full compliance with supervision
14 requirements constitutes arbitrary and capricious enforcement action that violates both
15 the Fifth Amendment’s guarantee of due process and the Administrative Procedure Act’s
16 requirement of reasoned decision-making. *See Judulang v. Holder*, 565 U.S. 42, 53
17 (2011) (agency action must not be arbitrary or capricious but must rest on a reasoned
18 explanation). Petitioner has consistently complied with every directive imposed by ICE,
19 including check-ins, reporting obligations, and cooperation with removal procedures.
20 Targeting him for arrest and detention under these circumstances amounts to
21 impermissible “**cherry-picking**” enforcement—a practice where the agency singles out
22 compliant individuals while taking no action against others, without articulating any
23 rational basis for the disparate treatment.

24 79. Such selective enforcement is constitutionally suspect and undermines the integrity of

1 the immigration system. The Supreme Court has emphasized that agency actions must be
2 guided by intelligible principles and consistent application of law. *Encino Motorcars,*
3 *LLC v. Navarro*, 579 U.S. 211, 221 (2016) (agency decisions must reflect reasoned
4 analysis and avoid arbitrary departures from settled policy). ICE's decision here reflects
5 no individualized assessment of danger or flight risk, as required by due process.

6 80. Moreover, Petitioner has refugee status and is protected by statute and international law
7 from removal to Iran. *See* INA § 241(b)(3)(A), 8 U.S.C. § 1231(b)(3)(A) (prohibiting
8 removal of a noncitizen to a country where life or freedom would be threatened); *see*
9 *also, INS v. Cardoza-Fonseca*, 480 U.S. 421, 449 (1987) (refugee protections reflect the
10 humanitarian purpose of U.S. asylum law). By arresting Petitioner despite knowing he
11 cannot be deported to Iran, ICE's conduct is not only futile but punitive, rendering the
12 detention unlawful under *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (detention must
13 be reasonably related to its purpose and cannot be indefinite where removal is not
14 reasonably foreseeable).

15 81. Because ICE's arrest and detention decisions lack a rational connection to a legitimate
16 governmental objective and instead reflect arbitrary "cherry-picking" enforcement, this
17 Court should grant the writ of habeas corpus and order Petitioner's immediate release.
18 Judicial intervention is necessary to prevent further constitutional injury and to ensure
19 that agency discretion is exercised within lawful bounds.

20 82. Further, there is no response from a country designated for removal and this follows a
21 significant delay in receiving a response. *See, e.g., Gonzalez-Rondon v. Gillis*, 5:19-cv-
22 109-DCB-MTP, 2020 WL 3428983 (S.D. Miss. June 23, 2020) (granting habeas relief to
23 petitioner detained thirteen months where there was no response from Venezuelan
24 officials). Moreover, there is no indication from any Embassy or Consulate that travel

1 documents would be issued for Petitioner. *Lawrikow v. Kollus*, No. CV-08-1403-PHX-
2 GMS (LOA), 2009 WL 2905549 (D. Ariz. July 27, 2009).

3 83. Petitioner's removal is not reasonably foreseeable because Petitioner has been detained
4 since April 2020 following a final order of removal, yet ICE has made no progress toward
5 effectuating his removal. The United States has no diplomatic or repatriation agreement
6 with Iran, making deportation practically impossible. Under *Zadvydus v. Davis*, 533 U.S.
7 678, 699 (2001), once removal is not significantly likely in the reasonably foreseeable
8 future, continued detention is no longer authorized. The Ninth Circuit has repeatedly
9 enforced this principle, holding that "indefinite detention of aliens under a final order of
10 removal, where removal is not significantly likely in the reasonably foreseeable future,
11 is unconstitutional." *Nadarajah v. Gonzales*, 443 F.3d 1069, 1081 (9th Cir. 2006).

12 84. In Nevada, courts have granted habeas relief under similar circumstances. *See, e.g.*,
13 *Perez-Cortez v. Bernacke*, No. 2:24-cv-01307-GMN-NJK (D. Nev. Dec. 19, 2024). ICE's
14 inability to remove Petitioner to Iran since 2020 demonstrates that continued detention
15 has become indefinite and unlawful.

16 85. The Ninth Circuit requires release where ICE cannot show a "significant likelihood of
17 removal in the reasonably foreseeable future." *Diouf v. Mukasey*, 542 F.3d 1222, 1234
18 (9th Cir. 2008). Detention spanning more than five years without prospect of removal
19 violates substantive due process and serves no legitimate governmental purpose. *See also*
20 *Rodriguez v. Marin*, 909 F.3d 252, 256 (9th Cir. 2018) (due process prohibits
21 "unreasonably prolonged" immigration detention without individualized justification).

22 86. Humanitarian equities strongly support release. This Court should find that beyond
23 constitutional limits, humanitarian equities weigh heavily in favor of release. Petitioner's
24 U.S. citizen twin brother is 100% paraplegic and fully dependent on Petitioner for daily

1 care. Petitioner's mother, age 75, is also a U.S. citizen with significant medical conditions
2 and cannot assume this responsibility. The Ninth Circuit has recognized that detention
3 decisions must account for humanitarian circumstances and proportionality. Petitioner's
4 continued detention imposes undue hardship on U.S. citizens who rely on his care,
5 contrary to these principles.

6 87. Petitioner is not a danger to the community or a flight risk. Although Petitioner has prior
7 drug-related convictions, he has complied fully with the District Court's sentencing
8 requirements and with ICE supervision prior to detention. The Ninth Circuit requires that
9 the government justify detention by *clear and convincing evidence* of danger or flight
10 risk. *Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011). The BIA also directs that bond
11 and detention decisions must weigh favorable equities, including family ties,
12 rehabilitation, and compliance. *Matter of Guerra*, 24 I. & N. Dec. 37, 40 (BIA 2006).

13 88. Petitioner's extensive family support, history of compliance, and absence of violent
14 criminal history demonstrate that he does not pose a danger or flight risk. Reasonable
15 supervision or conditions of release would adequately protect the government's interests

16 89. Accordingly, this Court should grant the writ and order Petitioner's immediate release or,
17 at minimum, require a constitutionally adequate bond hearing where DHS bears the
18 burden of proof by clear and convincing evidence.

19 **CLAIMS FOR RELIEF**

20 **COUNT ONE: PETITIONER'S DETENTION IS IN VIOLATION OF DUE PROCESS**

21 **CLAUSE OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTIONAL**

22 90. This Court should order Petitioner's immediate release because Respondents arbitrary
23 and capricious detention decisions violate the Fifth Amendment's guarantee of due
24 process. All persons, including non-citizens, residing in the US are protected by the Due

1 Process Clause of the Fifth Amendment to the US Constitution. See *Zadvydas v. Davis*,
2 533 U.S. 678, 693 (2001); *Plyler v. Doe*, 457 U.S. 202, 210 (1982). The Due Process
3 Clause of the Fifth Amendment provides that “[n]o person shall be ... deprived of life,
4 liberty, or property, without due process of law”. *U.S. Const., amend. V*. “Freedom from
5 imprisonment—from government custody, detention, or other forms of physical restraint—
6 lies at the heart of liberty that Clause protects”. *Zadvydas*, 533 U.S. at 690.

7 91. Detention by the Respondents puts at risk Petitioner's protected life and liberty interest.

8 The Due Process Clause of the Fifth Amendment forbids the government from depriving
9 any “person” of life and liberty “without due process of law”. See *U.S. Const., amend. V*.

10 92. Indeed, not all criminal convictions conclusively establish that an alien presents a danger
11 to the community, even where the crimes are serious enough to render the alien
12 removable. Cf. *Foucha*, 504 U.S. at 82-83, 112 S. Ct. 1780 (requiring a showing of
13 dangerousness beyond that “of any convicted criminal” to justify civil detention of the
14 criminally insane). Thus, denial of bond on the basis of criminal history alone is not
15 warranted. *Id.* at 1206.

16 93. Petitioner has a critical role in assisting his mother and twin paraplegic brother who are
17 US citizens and depend on Petitioner as he provides significant practical support to his
18 family and relies on *United States v. Arrieta, supra.*, to support this argument.

19 94. With the emotional and financial hardship to his family, significant role and the emotional
20 toll of breaking up the family unit, see *Arrieta*, 22 F.3d at 1082; *Cerrillo-Perez v. INS*,
21 809 F.2d 1419, 1423 (9th Cir. 1987) custody release is warranted.

22 95. Again, Respondents have been cherry-picking arrests and detention and Respondents
23 cannot produce a removal date in the foreseeable future.

24 **COUNT TWO: STATUTORY VIOLATIONS**

1 96. Petitioner's continued detention by Respondents is unlawful and contravenes 8 U.S.C. §
2 1231(a)(6) as interpreted by the Supreme Court in *Zadvydas*. Petitioner still has not been
3 removed, and Petitioner continues to languish in detention.

4 97. Petitioner's removal to his country of origin, which would be Iran, or any country is not
5 significantly likely to occur in the foreseeable future. The Supreme Court held in
6 *Zadvydas* and *Martinez* that ICE's continued detention of someone like Petitioner under
7 such circumstances is unlawful.

8 **COUNT THREE: SUBSTANTIVE DUE PROCESS VIOLATION**

9 98. Petitioner's continued detention violates Petitioner's right to substantive due process
10 through a deprivation of the core liberty interest in freedom from bodily restraint.

11 99. The Due Process Clause of the Fifth Amendment requires that the deprivation of
12 Petitioner's liberty be narrowly tailored to serve a compelling government interest. While
13 Respondents would have an interest in detaining Petitioner in order to effectuate removal,
14 that interest does not justify the indefinite detention of Petitioner, who is not significantly
15 likely to be deported in the reasonably foreseeable future. *Zadvydas* recognized that ICE
16 may continue to detain aliens only for a period reasonably necessary to secure the alien's
17 removal. Since 2020, DHS has failed to provide a date for Petitioner's removal.

18 **COUNT FOUR: PROCEDURAL DUE PROCESS VIOLATIONS**

19 100. Under the Due Process Clause of the Fifth Amendment, an alien is entitled to a
20 timely and meaningful opportunity to demonstrate that he should not be detained.
21 Petitioner in this case has been denied that opportunity. Petitioner respectfully notes that
22 ICE does not make decisions concerning aliens' custody status in a neutral and impartial
23 manner. The failure of Respondent to provide a neutral decision-maker to review the
24 continued custody of Petitioner violates Petitioner's right to procedural due process.

1 101. Further, Respondents have failed to acknowledge or act upon the Petitioner's
2 administrative request for release in a timely manner. There is not administrative
3 mechanism in place for the Petitioner to demand a decision, ensure that a decision will
4 ever be made, or appeal a custody decision that violates *Zadvydas*.

5 102. Even if Petitioner's detention is authorized under Section 1231, 1225 or 1226,
6 Petitioner's continued detention must comport with due process. Petitioner, Zareh
7 Tanahian, respectfully argues his prolonged detention violates his due process rights; he
8 requests immediate release from Respondents.

9 103. It is important to emphasize that Respondents have failed to effectuate
10 Petitioner's removal and have produced no credible or substantial evidence indicating
11 that removal is likely to occur in the reasonably foreseeable future. The Supreme Court
12 has made clear that continued detention under such circumstances violates the
13 constitutional limits established in *Zadvydas v. Davis*, 533 U.S. 678, 699-701 (2001),
14 where the Court held that detention is no longer lawful once removal is no longer
15 reasonably foreseeable. See also *Clark v. Martinez*, 543 U.S. 371, 384 (2005) (extending
16 *Zadvydas* to all noncitizens facing indefinite detention).

17 104. Because Respondents have not met their burden of showing a significant
18 likelihood of removal in the reasonably foreseeable future, this case is ripe for habeas
19 review. See *Akinwale v. Ashcroft*, 287 F.3d 1050, 1052 (11th Cir. 2002) (recognizing the
20 six-month presumptively reasonable detention period under *Zadvydas*). Petitioner's
21 continued confinement thus constitutes an arbitrary and unlawful deprivation of liberty
22 in violation of the Fifth Amendment's Due Process Clause. Accordingly, this Court
23 should grant the writ of habeas corpus and order Petitioner's immediate release under
24 appropriate supervision.

1 105. Here, Respondents have failed to produce any evidence—such as travel
2 documents, consular coordination, or assurances from the destination country—
3 indicating that removal is imminent or even plausible. Petitioner has fully cooperated
4 with all efforts to facilitate removal, yet ICE has been unable to execute deportation. This
5 prolonged and indefinite detention therefore falls squarely within the unconstitutional
6 framework condemned by *Zadvydas* and its progeny.

7 106. Because Respondents have not met their burden of demonstrating a significant
8 likelihood of removal in the reasonably foreseeable future, Petitioner’s detention has
9 become unlawful and unconstitutional. It no longer serves any legitimate governmental
10 purpose and instead constitutes an arbitrary deprivation of liberty contrary to the
11 principles articulated in *Zadvydas* and its Ninth Circuit progeny. Accordingly, this case
12 is ripe for habeas review, and this Court should grant the writ and order Petitioner’s
13 immediate release under appropriate conditions of supervision.

14 **PRAYER FOR RELIEF**

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

16 107. Assume jurisdiction over this present matter;

17 108. Issue a declaration that Petitioner’s ongoing detention violates the Due Process
18 Clause of the Fifth Amendment and the Eighth Amendment;

19 109. Grant Petitioner a Writ of Habeas Corpus directing the Respondents to
20 immediately release Petitioner from custody;

21 110. Enter preliminary and permanent injunctive relief enjoining Respondents from
22 further unlawful detention of Petitioner under *Zadvydas* or any further applicable law;

23 111. This Court should grant a Writ of Habeas Corpus and order Petitioner’s release
24 within twenty (“20”) days, unless the Respondents schedule a bond hearing before an

1 immigration judge where the IJ holds proper jurisdiction and where: (1) to continue
2 detention, DHS must establish by *clear and convincing* evidence that Petitioner presents
3 a *flight risk or danger to the public*, even after consideration of alternatives to detention
4 that could mitigate any risk that Petitioner's release would present; and (2) if DHS cannot
5 meet its burden, then the IJ should order Petitioner's custody release under a reasonable
6 Bond taking into account Petitioner's financial circumstances and ability to pay;

7 112. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act
8 ("EAJA"), as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other basis
9 justified under law;

10 113. Grant any further relief as this Court deems just and proper.

11
12 I, Zareh Tanahhan, hereby affirm under penalty of perjury and under the laws of the United
13 States of America that the foregoing is true and correct to the best of my knowledge and belief.

14
15 **DATED and executed on this 17th day of October, 2025.**

16
17 
18

19 Zareh Tanahhan

20 Alien No. 

21 Nevada Southern Detention Center

22 2190 East Mesquite Avenue

23 Pahrump, NV 89060

24

1 // /

2 // /

3 // /

4 // /

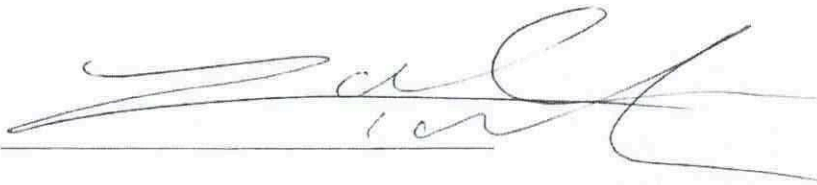
5 // /

6 **ACKNOWLEDGEMENT AND VERIFICATION**


7 Under penalty of perjury, the undersigned declares that he is the named Petitioner in the
8 foregoing petition. I have read the foregoing petition and its contents. The statements in the
9 petition are true and correct to the best of my knowledge, except as to any statements alleged
10 on information and belief, and as to those statements, I believe them to be true.

11
12 **DATED** this 17th day of October, 2025.

13
14 **EXECUTED** in Pahrump, Nevada.

15
16 
17

18 Zareh Tanah

19 Alien No. 

20 Nevada Southern Detention Center

21 2190 East Mesquite Avenue

22 Pahrump, NV 89060

23

EXHIBIT A



November 29, 2018

Re: Zavik Tanahan

DOB: [REDACTED]

To Whom It May Concern:

Mr. Zavik Tanahan, has been a patient of mine for many years. He is currently under my care. Mr. Zavik Tanahan has cerebral palsy since birth. He is wheel chair bound and needs 24 hours care.

If you need any additional information please contact our office at [REDACTED] or Fax [REDACTED]

Sincerely,

Francis Ellyin, MD
Board Certified Family Medicine
3280 N Rainbow Blvd Suite 110
Las Vegas, NV 89108

EXHIBIT B



EIGHTH JUDICIAL DISTRICT COURT
SPECIALTY COURTS DIVISION
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155
(702) 671-4528

9/22/2025

To whom this may concern:

I am writing on behalf of Zareh Tanahán. Mr. Tanahán was accepted into the Adult Drug Court (ADC) program on 3/4/2025. ADC is minimum of 18 months in length. During this time, participants will be required to maintain sobriety, which is monitored by random Drug Screens, learn and demonstrate the tools for recovery while attending Substance Use Treatment, attend court hearing, and will work through the levels of care all while on probation.

Mr. Tanahán began Intensive Outpatient Treatment on 3/21/2025 and completed that level of care on 4/23/2025. Mr. Tanahán was then placed in Outpatient treatment where he was making progress up until being detained on 6/25/2025. While in the program, Mr. Tanahán submitted all 37 required random drug screens that were all negative. He was also working on taking care of his case in Arizona and was set to travel there to attend his court hearing.

The ADC Team has continued to pass Mr. Tanahán's court appearance in hopes that he will return to the program and be able to continue to gain the tools needed to maintain a healthy and substance free lifestyle.

If you have any questions, please don't hesitate to contact me.

Allison Alegria BA, CADC

Allison Alegria

Specialty Courts Coordinator
Eighth Judicial District Court

Adult Drug Court • DUI Court • Mental Health Court • Veterans Treatment Court
Family Drug Court • Dependency Mother's Drug Court • Juvenile Drug Court
• Truancy Diversion Program • Competency Court

EXHIBIT C

Joe Lombardo
Governor



Nevada Department of
Public Safety
Dedication Pride Service

George Togliatti
Director

Kristi Defer
Deputy Director

Director's Office
555 Wright Way
Carson City, Nevada 89711
Telephone (775) 684-4556 - Fax (775) 684-4809

DATE: October 6, 2025

TO: U.S. Immigration and Customs Enforcement

FROM: Officer Amie

SUBJECT: Compliance Letter

On February 19, 2025, Mr. Tanahan was sentenced to probation for ATTEMPT BURGLARY OF A BUSINESS (CATEGORY D FELONY). Subsequently, on March 04, 2025, he was accepted into the Adult Drug Court (ADC) Program.

Since entering the ADC program, Mr. Tanahan has remained in full compliance with all program requirements. He has consistently tested negative for all substances and has actively participated in treatment through Healthy Minds, as required. Additionally, Mr. Tanahan reports to his probation officer on a monthly basis, in accordance with the terms of his supervision.

Mr. Tanahan currently resides with his mother and his disabled brother, for whom he serves as a full-time caregiver. His brother requires 24-hour assistance, and Mr. Tanahan plays a critical role in meeting those daily care needs.

Please feel free to contact me should you need any further information regarding Mr. Tanahan's compliance with Probation and participation in the ADC program.

Sincerely,

Officer M. Amie
Nevada State Police
Parole & Probation, Southern Command – Adult Drug Court
215 E. Bonanza Rd. Las Vegas, NV 89101



Capitol Police • Highway Patrol • Investigations • Parole and Probation • State Fire Marshal • Training Division
• Office of Traffic Safety • Office of Professional Responsibility • Office of Criminal Justice Assistance
• Records, Communications and Compliance • Emergency Response Commission



St. Geragos Armenian Apostolic Church

Ս. ԿԵՐԱԳՈՍ ՀԱՅԱՍՏԱՆԵԱՅԻՆ ԱՊՈՍՏՈՒԼԻԿԱՆ ԵԿԵՂԵՑԻ

6280 Ponderosa Way, Las Vegas, Nevada 89118 ♦ 702 247 8400 ♦ E. Mail: st.geragos@gmail.com

♦ Personal: haysasoon@gmail.com



Nº 288

Re: Character and Support Letter for Mr. Zareh Tanahan

TO WHOM IT MAY CONCERN

I am writing to you in my capacity as a humble Parish Priest of St. Geragos Armenian Church, where Mr Zareh Tanahan has been a faithful parishioner for many years. I respectfully offer my strongest recommendation and support for Mr. Tanahan as his case is being reviewed.

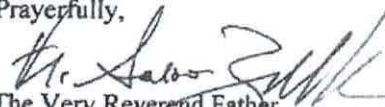
Zareh has consistently demonstrated himself to be a person of faith, integrity, and service. He attends church regularly, and whenever we have parish activities, he actively engages in them and is highly respected by parishioners, peers, and the wider community.

Beyond his role in our church, Zareh holds a significant responsibility at home. He is the **primary caregiver for his paraplegic brother and his elderly mother**, both of whom rely entirely on his daily care and financial support. Without Zareh's constant assistance, their health, safety, and well-being would be in immediate danger. His role as their caretaker is not only irreplaceable but also essential for their survival.

On behalf of myself and our parish, I urge you to give Mr. Tanahan the chance to reunite with his family and community, who truly need him. Please be assured that he has our full support, and we are ready to help him as he continues to be a responsible and contributing member of our Parish and the Armenian Community at large.

Thank you for your time, understanding, and consideration regarding this matter.

Prayerfully,

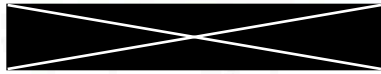

The Very Reverend Father
SASOON ZUMROOKHDIAN
Parish Priest





Lorita Tanahah <loritanahah@gmail.com>

Zareh Tanahah



Tue, Sep 23 at 11:55 AM

Katia Gharibian



9/23/2025

To Whom It May Concern:

I am writing this letter to provide a character reference for my nephew, Zareh Tanahah. I have known him since he was born. Throughout that time, I have watched him grow into a compassionate, caring and funny person.

Zareh Tanahah has always been a positive and helpful presence for his family.

I can point out one specific situation, Zareh has leave with it all his life to care and help his brother Zavik Tanahah who is fully disabled since birth

- My sister was ill for passed several months . My nephew Zareh Tanahah took it upon himself to regularly cook meals for her, and his brother help with household chores, all while managing to clean the house and do the yard work . His dedication and selflessness were a great comfort to the family.
- After his father passed away, my nephew Zareh Tanahah took the lead in and ensuring all the family's needs were taken care of. He handled the difficult situation with maturity and compassion, showing great concern for everyone involved."

These actions reflect his fundamental character.

He consistently demonstrates kindness and a willingness to help others without being asked. He has always been a source of support and love for all of us and has never shown any indication of being a danger to any family members or anyone in the community.

I understand the seriousness of the situation you are reviewing, and I am confident that Zareh Tanahah's actions and character reflect a person who is not a threat.

I can be reached at  or  if you require any additional information.

Thank you for your time and consideration.

Sincerely,
Katia Gharibian



EIGHTH JUDICIAL DISTRICT COURT
SPECIALTY COURTS DIVISION

Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155
(702) 671-4528

9/22/2025

To whom this may concern:

I am writing on behalf of Zareh Tanahan. Mr. Tanahan was accepted into the Adult Drug Court (ADC) program on 3/4/2025. ADC is minimum of 18 months in length. During this time, participants will be required to maintain sobriety, which is monitored by random Drug Screens, learn and demonstrate the tools for recovery while attending Substance Use Treatment, attend court hearing, and will work through the levels of care all while on probation.

Mr. Tanahan began Intensive Outpatient Treatment on 3/21/2025 and completed that level of care on 4/23/2025. Mr. Tanahan was then placed in Outpatient treatment where he was making progress up until being detained on 6/25/2025. While in the program, Mr. Tanahan submitted all 37 required random drug screens that were all negative. He was also working on taking care of his case in Arizona and was set to travel there to attend his court hearing.

The ADC Team has continued to pass Mr. Tanahan's court appearance in hopes that he will return to the program and be able to continue to gain the tools needed to maintain a healthy and substance free lifestyle.

If you have any questions, please don't hesitate to contact me.

Allison Alegria BA, CADC

Allison Alegria

Specialty Courts Coordinator
Eighth Judicial District Court



Adult Drug Court • DUI Court • Mental Health Court • Veterans Treatment Court
Family Drug Court • Dependency Mother's Drug Court • Juvenile Drug Court
• Truancy Diversion Program • Competency Court

To Whom It May Concern,

My name is Marcus Mitchell, and I am a neighbor of Mr. Zareh Tanahan. Zareh, along with his twin brother, Zavick, who has special needs, and their mother, Lorita Tanahan, have been wonderful neighbors to my family and me. We have a close knit relationship and support each other whenever needed.

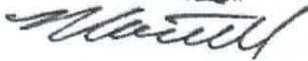
Lorita is the primary caretaker for Zavick. However, as she is getting older, the daily tasks of lifting and moving Zavick have become increasingly difficult for her. Zareh had been helping care for his brother before being detained, and his absence is felt by both his family and mine.

Zareh has had trouble in the past, but has paid for his mistakes and has been remorseful as he has been sober for the past several months. He had been attending meetings and enjoying his newfound love for improving his family's home with his green thumb.

We look forward to having him back in the neighborhood. I am a small business owner, and I have a job waiting for him when he returns home.

Sincerely,

Marcus Mitchell



Kathleen Mitchell

7509 Blue Sage Ct
Las Vegas, NV 89129

September 2025

To whom it may concern,

My name is Kathleen Mitchell. I live next door to Mr. Tanahan. I have been a resident and homeowner in the cul de sac we live in and have been for 14 years. In the last year and a half we've actually witnessed Z become the son and brother his family have longed for. He is helpful and he is very needed in that home. Lorita Tanahan is his mother and primary caretaker to his twin brother who is handicapped. They both need him home. We would love to have him back in our community as he has been nothing but a positive active member of society. We know he is clean and sober. My husband owns a business and will employ him given the opportunity. This way he can give back to the USA.

Please consider allowing him to stay and take care of his family. I am sure given the opportunity Mr. Tanahan will be able to prove himself. Without family we are nothing.

Sincerely,

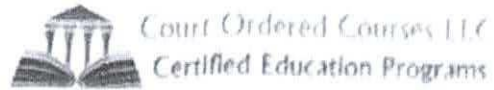
Kathleen Mitchell

To whom it may concern,

My name is Khloe Mitchell, and my sister's name is Mila Mitchell. We are 14 and 12 years old, respectively. We have known Zareh Tanahan for several years, and he has been a wonderful neighbor to our family and others on our street. His twin brother, Zavick Tanahan, has special needs, and Zareh is a big help around their home. As their mother, Lorita Tanahan, gets older, Zareh is stepping up to provide even more assistance for Zavick.

Although Zareh has made some mistakes in the past, he has worked hard to make amends and has shown significant improvement. He has been clean for several months and has even started gardening to enhance the curb appeal of their home.

EXHIBIT D



Progress 1

PROGRESS REPORT:

Congratulations! You have completed **1 of 13** sections of the **Extended (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Please complete the next section in a timely manner so you stay on schedule for the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification requests, contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g., info@lvmpd.com).



Progress 2

PROGRESS REPORT

Congratulations! You have completed **2 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

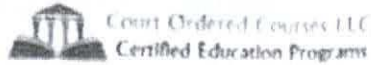
Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cornv.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov, .us, .lvmpd).

COMPLETE & CONTINUE →



Progress 3

PROGRESS REPORT

Congratulations! You have completed **3 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. .gov, .us, .lmpd).

COMPLETE & CONTINUE →



Progress 4

PROGRESS REPORT

Congratulations! You have completed **4 of 13** sections of the **Extended Impulse Control (13 Weeks)** course

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress

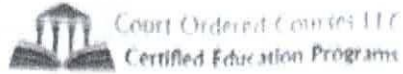
Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocny.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov, .us, .lvmpd).

COMPLETE & CONTINUE →



Progress 5

PROGRESS REPORT:

Congratulations! You have completed **5 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. .gov, .us, .ivmpd)



Progress 6

PROGRESS REPORT

Congratulations! You have completed **6 of 13** sections of the **Extended Impulse Control (13 Weeks)** course

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cornv.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov. us, .lvmpd).



Progress 7

PROGRESS REPORT

Congratulations! You have completed **7 of 13** sections of the **Extended Impulse Control (13 Weeks)** course

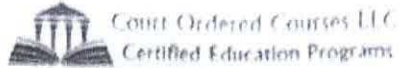
Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocny.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov. us., .ivmpd).



Progress 8

PROGRESS REPORT:

Congratulations! You have completed **8 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

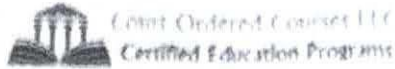
Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocny.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov, us, lvmpd).

COMPLETE & CONTINUE →



Progress 9

PROGRESS REPORT

Congratulations! You have completed **9 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov, us, .ivmpd).

COMPLETE & CONTINUE →



Progress 10

PROGRESS REPORT

Congratulations! You have completed **10 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

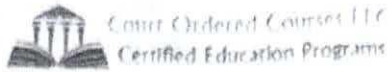
Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. .gov, .us, .lmpd).



Progress 11

PROGRESS REPORT:

Congratulations! You have completed **11 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

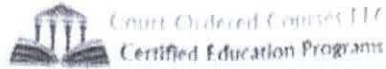
Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. .gov, .us, .lmpd).

COMPLETE & CONTINUE →



Progress 12

PROGRESS REPORT

Congratulations! You have completed **12 of 13** sections of the **Extended Impulse Control (13 Weeks)** course.

Print this page (or save it as a PDF) for your records. The printout will include today's date, which you can present as proof of your progress.

Each section of this course is available one week after the previous section. Be sure to complete the next section in a timely manner so you stay on schedule to complete the course on time.



Court Ordered Courses LLC
Certified Education Programs

For official verification by courts, law enforcement agencies, attorneys, or other verification related inquiries please contact us at info@cocnv.com. For immediate service, please e-mail us from an official e-mail address (e.g. gov, .us, .lmpd).

CERTIFICATE OF COMPLETION

ZAREH TANAHAN

For Case Number: 24-02176

successfully completed the following online education course
Extended Impulse Control (13 Weeks)



Court Ordered Courses LLC

Issued: 2024-12-01

For official verification or inquiries by courts, attorneys, and law enforcement, contact us at: info@cocw.com

Certificate ID: c8flayexci

CERTIFICATE OF SERVICE

I, Zareh Tanahan, hereby certify that the foregoing documents has been submitted on October 17, 2025. Further, I personally served a true, complete and correct copy of the foregoing documents by placing it in a pre-paid stamped envelope through the institutional internal legal mail system at Nevada Southern Detention Center and mailing it to the following individuals:

Michael Bernacke
Salt Lake City ICE Field Office Director
2975 Decker Lake Drive, Ste 100
West Valley City, UT 841179-6096

Patrick J. Lechleitner
ICE Deputy Director
500 12th St. SW
Washington, DC 20536

Kristi Noem
Secretary of the Department of
Homeland Security
2707 Martin Luther King Jr. Ave SE,
Washington, DC 20528

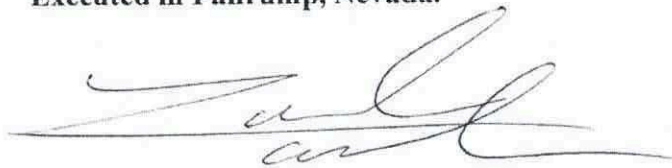
Kerri Ann Quihuis
DOJ-USAO
501 South Las Vegas Blvd., South
Ste # 1000
Las Vegas, NV 89101

Pamela J. Bondi
Attorney General of the United States
950 Pennsylvania Avenue, NW,
Washington, DC 20530-0001

John, Mattos
Warden, Nevada Southern Detention Center
2190 East Mesquite Avenue
Pahrump, NV 89060

Respectfully submitted on this 17th day of October, 2025.

Executed in Pahrump, Nevada.



Zareh Tanahan
Alien No. [REDACTED]
Nevada Southern Detention Center
2190 East Mesquite Avenue
Pahrump, NV 89060