UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

KARIM SANOGOH, Petitioner, vs. KEVIN RAYCRAFT, Immigration and Customs Enforcement, Acting Director of the Detroit Field Office, Enforcement and Removal Operations, Respondent.	Case No. 1:25-cv-00787 District Judge Matthew W. McFarland Magistrate Judge Peter B. Silvain, Jr.

PETITIONER'S REPLY TO RESPONDENT'S RETURN OF WRIT

Petitioner, Mr. Karim Sanogoh, by and through undersigned Counsel, and respectfully submits this Reply to Respondent's Return of Writ. The Court should grant the Petition for Writ of Habeas Corpus filed by Petitioner, Mr. Sanogoh, under 28 U.S.C. § 2241.

INTRODUCTION

Mr. Sanogoh, Petitioner, fled Mauritania and entered the United States over 20 years ago, on or around May 15, 2002. Despite building a productive life in the United States, he now is unlawfully detained. Contrary to the Government's characterization, this Petition is not a straightforward effort to challenge a final removal order. Instead, the Petition seeks to challenge post-order detention actions that violate statutory and constitutional protections. Specifically, the Petition challenges the continued detention of Petitioner when removal is not reasonably foreseeable. There is no meaningful alternative to judicial review because Petitioner has

exhausted administrative remedies. Thus, absent federal court review, Petitioner is at risk of indefinite detention.

As such, this Court is the only venue that can address the issues raised in Petitioners' case and has authority to address these issues and order the requested relief. This includes review of whether the Government's post-removal-order detention violates the Petitioner's constitutional and statutory rights.

LAW AND ARGUMENT

I. THIS COURT HAS JURISDICTION TO REVIEW PETITIONER'S CLAIMS

Respondent fundamentally mischaracterizes Petitioner's claim. Petitioner does not challenge his years-old removal order to Mauritania, but rather, he challenges Respondents post-proceeding actions, including detention where removal is not reasonably foreseeable. Because Petitioner raises only post-removal-order-based claims, this Petition is outside the jurisdiction-stripping provisions set forth in 8 U.S.C. § 1252. As such, this Court should assume jurisdiction over this Petition pursuant to 28 U.S.C. § 2241.

A. 8 U.S.C. § 1252(g) Does Not Preclude Review of Petitioner's Claims

Section 1252(g) does not preclude district court habeas review of unlawful detention by ICE. The statute's plain text limits jurisdictional stripping to claims, "arising from any decision or action … to commence proceedings, adjudicate cases, or execute removal orders." 8 U.S.C. § 1252(g); *see also* REAL ID Act of 2005, Pub. L. 109-13, 119 Stat. 231 (May 11, 2005), Title I, Section 106(c) (amending INA §§ 242(a)(2)(A)-(C), 242(g)). The Supreme Court has "narrow[ly]" construed this provision to apply only to these "three discrete actions." *Reno v. Am-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482 (1999); see also *Jennings v. Rodriguez*, 583

U.S. 281, 294 (2018) (plurality opinion) ("Section 1252(g) does not sweep broadly. It reaches only these three specific actions, not everything that arises out of them.").

Moreover, the Sixth Circuit has explained that 8 U.S.C. § 1252(g) does not suspend habeas review as to challenging the "authority to indefinitely detain a non-citizen following the execution of a removal order." *Moussa v. Jenifer*, 389 F.3d 550, 554 (6th Cir. 2004) (citing *Zadvydas v. Davis*, 533 U.S. 678 (2001)); *see also Karki v. Jones*, No 1:25-cv-281, 2025 WL 1638070, at *8 (S.D. Ohio June 9, 2025) (holding that § 1252(g) does not suspend habeas review of post-removal-order detention under Sixth Circuit precedent); *Al Shimary v. Rayborn*, No. 2:24-CV-11646, 2024 WL 3625169, at *2 (E.D. Mich. July 31, 2024) (denying stay of removal on jurisdictional grounds but allowing detention-based claims to proceed); *Mingrone v. Adducci*, No. 2:17-CV-11685, 2017 WL 4909591, at *8 (E.D. Mich. July 5, 2017) (addressing merits of detention-based claim because petitioner "could be released and ICE could still proceed to remove him").

Petitioner's claims fall outside the scope of 8 U.S.C. § 1252(g). Here, the Petition explicitly stated: "Petitioner is not challenging the removal order itself or the Attorney General's decision to execute it. Instead, Petitioner challenges his continued detention when removal is not reasonably foreseeable." (Petition, ECF 1, PageID 3, at ¶ 10). Respondent is in no way prohibited from executing the removal order. Because Petitioner challenges only the lawfulness of his continued detention when removal is not reasonably foreseeanble—not any action to commence, adjudicate, or execute removal— 8 U.S.C. § 1252(g) does not strip this Court of jurisdiction.

Ultimately, Respondent's reliance on § 1252(g) fails because Petitioner challenges the lawfulness of post-proceeding actions, not discretionary execution decisions. Specifically, Petitioner challenges the lawfulness of Respondent's scheme to deprive him of his statutory and constitutional rights by detaining him when removal is not reasonably foreseeable. This Court should therefore exercise jurisdiction to review Petitioner's detention.

B. Sections 1252(a)(5) and (b)(9) Apply Only to Challenges to Removal Orders

Respondent's invocation of §§ 1252(a)(5) and (b)(9) is misplaced for a simple reason: Petitioner does not challenge his removal order, but rather is seeking to challenge unlawful post-proceeding actions taken by DHS. Section 1252(a)(5) channels "judicial review of a removal order" to the court of appeals, while § 1252(b)(9) consolidates review of questions "arising from any action taken or proceeding brought to remove an alien." 8 U.S.C. §§ 1252(a)(5), (b)(9).

As the statute is written, section 1252 applies to judicial review of the decisions made by Immigration Judges and the Board of Immigration Appeals in removal proceedings. It is not designated to apply to collateral decisions made by administrative officials outside the context of removal proceedings. Accordingly, 8 U.S.C. §§ 1252(a)(5) and (b)(9) do not reach post-proceeding decisions. Moreover, in the Ninth Circuit, the court found jurisdiction despite 1225(a)(5) because the petitioner's "claims [were] independent of his removal order" since he "[did] not challenge the IJ's determination that he is removable or claim any deficiency in the removal order itself." *Aden v. Nielson*, 409 F. Supp. 3d 998, 1006 (9th Cir. 2019).

Here, Petitioner is not requesting a review of his removal order from this Court, nor is he seeking judicial intervention to determine whether he is more likely than not to experience persecution or torture if ultimately returned to Mauritania. Instead, Petitioner is seeking a

determination that, based on the evidence, his removal is not reasonably foreseeable, and that he is therefore entitled to release from detention pursuant to *Zadvydas*.

The jurisdictional framework is clear: challenges to removal orders go through the standard appeals process (BIA, Sixth Circuit) and challenges to the constitutional and statutory authority to detain pending removal come to this Court via habeas. Petitioner brings only the latter. Neither §§ 1252(g), (a)(5), or (b)(9) strip habeas jurisdiction over *Zadvydas* detention challenges. Accordingly, this Court should exercise jurisdiction and proceed to the merits of Petitioner's claims.

II. EXHAUSTION IS NOT REQUIRED

Respondent did not contest Petitioner's exhaustion arguments. The primary question to be decided by this Court—whether Mr. Sanogoh's continued detention, following his removal order becoming final, violates the Constitution or the INA—is a legal question routinely addressed by federal habeas courts. Exhaustion is not statutorily required and should not be prudentially required in order for Petitioner's claims to be heard before this Court.

Nevertheless, Petitioner reasserts that exhaustion is not statutorily required for *Zadvydas* relief. *See Hamama v. Adducci*, 946 F. Supp. 3d 665, 701 (E.D. Mich. 2018), *vacated on other grounds*, *Hamama v. Adducci*, 946 F.3d 875 (6th Cir. 2020); *Shurney v. INS*, 201 F. Supp. 2d 783, 788 (N.D. Ohio 2001) ("Under the INA, exhaustion of administrative remedies is only required for appeals of final orders of removal." (citing 8 U.S.C. § 1252(d)(1)); *Nassar v. Clausen*, No. 1:07-cv-1066, 2008 WL 314698, at *1 (W.D. Mich. Feb. 4, 2008) ("[T]here is no administrative exhaustion requirement as to this kind of habeas challenge." (citation omitted)). Here, Petitioner is not appealing a final order of removal. Instead, Petitioner challenges his post-removal order

detention when removal is not reasonably foreseeable. Thus, Petitioner's detention-based claims are not barred by any statutory exhaustion requirement.

While there is no statutory requirement, exhaustion may be judicially required as a prudential matter unless specific exceptions apply. *See, e.g.*, *Salad v. Department of Corrections*, 769 F. Supp. 3d 913, 921 (D. Alaska 2025) ("Administrative exhaustion is prudential rather than a jurisdictional requirement for habeas review under § 2241." (citing *Acevedo-Carranza v. Ashcroft*, 371 F.3d 539, 541 (9th Cir. 2004)). The Supreme Court has recognized three "broad sets of circumstances in which the interests of an individual weigh heavily against requiring administrative exhaustion: (1) where such requirement would subject an individual to an unreasonable or indefinite time frame for administrative action; (2) where the administrative agency lacks competence to resolve the particular issue presented; or (3) the exhaustion of administrative remedies would be futile because the administrative body is shown to be biased or has predetermined the issue before it." *McCarthy v. Madigan*, 503 U.S. 140, 146-48 (1992); *see also Shurney*, 201 F. Supp. 2d at 788-89. Petitioner is unable to access administrative remedies because his removal order was finalized over fifteen years ago. Accordingly, Petitioner is unable to pursue alternative avenues for relief and requiring exhaustion would impose undue delay.

In sum, Petitioner's challenge to his detention falls outside the scope of any statutory exhaustion requirement, as he does not contest the validity of his removal order but rather the lawfulness of his detention when removal is not reasonably foreseeable. Even if prudential exhaustion were otherwise applicable, requiring it here would subject Petitioner to an unreasonable or indefinite timeline, as Petitioner has no pending proceedings through which to seek relief and no available administrative forum to adjudicate his post-removal-order detention-based claims. This Court has jurisdiction to reach the merits of Petitioner's habeas claims

without requiring exhaustion of remedies that are neither statutorily mandated nor practically available.

III. PETITIONER IS ENTITLED TO RELIEF

A. Violation of the Immigration and Nationality Act

To avoid serious constitutional concerns about indefinite civil detention, the Supreme Court construed § 1231(a)(6) to hold that detention is justified only when removal is reasonably foreseeable. *Zadvydas v. Davis*, 533 U.S. 678, 699-700 (2001) ("[I]f removal is not reasonably foreseeable, the court should hold continued detention unreasonable and no longer authorized by statute."). Petitioner's continued detention violates 8 U.S.C. § 1231(a), because his removal to Mauritania is not reasonably foreseeable in the near future.

Section 1231 provides: "Except as otherwise provided in this section, when [a non-citizen] is ordered removed, the Attorney General shall remove the [non-citizen] from the United States within a period of 90 days (in this section referred to as the 'removal period')." 8 U.S.C. § 1231(a)(1)(A). The removal period begins on the date the order of removal becomes administratively final. 8 U.S.C. § 1231(a)(1)(B)(i). Once the removal period begins, DHS has 90 days to obtain travel documents and execute the final order of removal. If the individual is not removed by the end of the 90-day removal period, then they shall be released subject to supervision. 8 U.S.C. § 1231(a)(3).

8 U.S.C. § 1231(a)(2) provides as follows: "During the removal period, the Attorney General shall detain the [noncitizen]. Under no circumstances during the removal period shall the attorney general release an [noncitizen] who has been found inadmissible under section 1182(a) or 1182(a)(3)(B) of this title or deportable under 1227(a)(2) or 1227(a)(4)(B) of this title." 8 U.S.C. § 1231(a)(2). This, however, does not apply to Petitioner because he is not inadmissible

under 8 U.S.C. § 1182(a)(2) (relating to inadmissibility for serious criminal convictions) or 8 U.S.C. § 1182(a)(3)(B) (relating to inadmissibility for terrorist activities). Petitioner is not deportable under 8 U.S.C. § 1227(a)(2) (relating to deportability for serious criminal convictions) or 8 U.S.C. § 1227(a)(4)(B) (relating to deportability for terrorist activities). Respondent has not detained Petitioner for any of the aforementioned reasons, and he is not subject to detention beyond the removal period under this provision. Instead, Petitioner is detained to effectuate his removal.

Moreover, Respondent's reliance on *Demore v. Kim* is misplaced. Respondent states "there is no question that ICE has authority to detain Petitioner during the removal process." (Return of Writ, ECF 9, PageID 38 (citing *Demore v. Kim*, 538 U.S. 510, 531 (2003)). In *Demore*, the statutory provision at issue was 8 U.S.C. § 1226(c), which concerns "[d]etention of criminal aliens" and outlines categories of noncitizens with criminal histories who "[t]he Attorney General *shall* take into custody." 8 U.S.C. § 1226(c)(1) (emphasis added).

Demore v. Kim, can be easily distinguished because the Supreme Court held that Congress was "justifiably concerned that deportable criminal aliens who are not detained continue to engage in crime and fail to appear for their removal proceedings in large numbers," and could thus mandate that any such individuals "be detained for the brief period necessary for their removal proceedings" without offending due process. *Demore v. Kim*, 538 U.S. 510, 531 (2003). Additionally, the Court in *Demore* explicitly distinguished the case from *Zadvydas*. *Id.* at 528 ("*Zadvydas* is materially different from the present case…"). Here, Petitioner does not have a criminal record and is not detained under 8 U.S.C. § 1226(c). Therefore, in the context of Mr. Sanogoh's petition, the case is distinguishable.

Detention of certain noncitizens beyond the statutory 90-day removal period is permitted only when removal is reasonably foreseeable. 8 U.S.C. § 1231(a)(6); *Zadvydas*, 533 U.S. at 699; *see also*, *Martinez v. Larose*, 968 F.3d 555, 560 (6th Cir. 2020) (finding that post-removal-period detention is permissible if the noncitizen is removable and considered "unlikely to comply with the order of removal"). Rather than authorizing "indefinite detention," the statute has been read to "limit[] [a noncitizen's] post-removal-period detention to a period reasonably necessary to bring about that alien's removal." *Zadvydas*, 533 U.S. at 689.

Courts have applied *Zadvydas* and ordered release where ICE re-detained the petitioner years after proceedings ended. *See Munoz-Saucedo v. Pittman*, 2025 WL 1750346, No. 25-2258, *9 (D.N.J. June 24, 2025); *see also Nguyen v. Hyde*, No. 25-cv-11470, 2025 WL 1725791 (D. Mass. June 20, 2025) (finding *Zadvydas* 6-month presumption not applicable where the noncitizen is "re-detained" after having been on supervised release and that respondents failed to meet their burden to show a substantial likelihood of removal is now reasonably foreseeable); *Tadros v. Noem*, No. 25-cv-4108, 2025 WL 1678501 (D. N.J. June 13, 2025) (finding 6-month presumption had long lapsed while petitioner was on supervised release and it is respondent's burden to show removal is now likely in the reasonably foreseeable future)).

In *Munoz-Saucedo*, the New Jersey District Court held that "[a]lthough the Supreme Court established a six-month period of presumptively reasonable detention, it did not preclude a detainee from challenging the reasonableness of his detention *before* such time." *Munoz-Saucedo* at *5 (emphasis added) (citing *Zadvydas*, 533 U.S. at 699-701, and collecting cases). The court rejected any argument that *Zadvydas* created a bright-line rule, and held that the 6-month presumptively reasonable period is rebuttable. *Id.* at *5-6.

Zadvydas dealt with initial detainment of a non-citizen awaiting removal whereas the present case deals with the redetention after release on an order of supervision. Petitioner's removal order became final on September 7, 2010, over 15 years ago. Shortly thereafter, on September 27, 2010, Respondent issued an order of release on supervision pursuant to § 1231(a)(3). He was not, at that time, detained beyond the 90-day removal period as § 1231(a)(6) allows for certain detainees. Respondent concedes that Petitioner had not violated the conditions of his order of release on supervision. (Return of Writ, ECF 9, PageID 42-43). At the time Petitioner's was taken into ICE custody on August 5, 2025, he had been on a supervision order for nearly 15 years. In that time, Respondent was not able to obtain travel documents or to effectuate his removal to Mauritania.

Even assuming *arguendo* that the six-month presumption applies to cases of redetention, Petitioner's claim is not precluded. While *Zadvydas* established a presumptively reasonable period of six months for post-removal-order detention, 533 U.S. at 701, this presumption is rebuttable and does not create an absolute bar to habeas relief for those detained less than six months. *See Ali v. Dep't of Homeland Sec.*, 451 F. Supp. 3d 703, 706-07 (S.D. Tex. 2020) ("This six-month presumption is not a bright line, … and *Zadyvdas* did not automatically authorize all detention until it reaches constitutional limits."); *Hoang Trinh v. Homan*, 333 F. Supp. 3d 894, 994 (C.D. Cal. 2018) ("The six-month *Zadyvdas* presumption is just that – a presumption … not a prohibition on claims challenging detention less than six months." (internal quotations omitted)); *Cesar v. Achim*, 542 F. Supp. 2d 897, 903 (E.D. Wisc. 2008) ("The *Zadyvdas* Court did not say that the presumption is irrebuttable."). Thus, Petitoner's is not barred from making a post-removal-order detention based claim under *Zadvydas* that his detention is unlawful where removal is not reasonably foreseeable.

On August 5, 2025, Petitioner was taken into ICE custody at Butler County Correctional Complex in Hamilton Ohio.[1] On August 29, 2025, Respondent requested travel documents for the Petitioner from the government of Mauritania. (Return of Writ, ECF 9, Exhibit 1, PageID 47, ¶ 15). Petitioner does not possess a Mauritanian birth certificate or passport. Petitioner is stateless. Without the necessary documents required in order to obtain travel documents from Mauritania, it is unclear whether Respondent will be able to secure travel documents for Petitioner. Despite this request to the government of Mauritania, which occurred over four months ago, Respondent has been unable to secure travel documents for Petitioner. It is unclear when, if at all, Respondent expects the government of Mauritania to issue travel documents for Petitioner.

Further, the federal government has recently recognized Mauritania's inability/non-compliance in issuing travel documents. (*See* **Exhibit A,** Proclamation No. 10998, 90 Fed. Reg. 59717, 59721-26 (December 19, 2025) (announcing partial restrictions placed on countries that refuse to accept back foreign nationals or have such limited governmental presence in the country that it creates substantial difficulties).

Moreover, Respondent did not provide information to corroborate that removals to Mauritania are taking place; for example, documents establishing the number of noncitizens removed from the U.S. to Mauritania this year. Removal statistics are not publicly available for 2025. (*See* **Exhibit B,** ICE Removal Statistics 2025). However, in 2024, ICE removed only 16 people to Mauritania. (*See* **Exhibit C**, ICE Removal Statistics 2024). Respondent states that the government is "unaware of any institutional barriers that would prevent ICE from obtaining a

[1] For unknown reasons, ICE transferred Petitioner to North Lake Correctional Facility in Baldwin, Michigan in November 2025. As of December 2025, ICE has since transferred Petitioner back to the original facility in Ohio.

travel document for the petitioner from Mauritania or that would prevent ICE from removing him to Mauritania once it receives a valid travel documents." (Return of Writ, ECF 9, Exhibit 1, PageID 47, ¶ 18). Contrary to this assertion, it appears that there may be significant institutional barriers that would prevent ICE from obtaining travel documents and removing Petitioner to Mauritania once it receives valid travel documents.

Without stating the date and time of any scheduled flight, Respondent asserts that Petitioner can be removed to Mauritania. Yet Respondent does not share any details regarding the plan to remove Petitioner to Mauritania. It is unclear the exact day and time that Petitioner's removal will be effectuated.

For these reasons, the Court should find that there is no significant likelihood of removal in the reasonably foreseeable future. Under these circumstances, continued detention violates 8 U.S.C. § 1231, as well as constitutional safeguards recognized in *Zadvydas* and reaffirmed by district courts. Petitioner should be released under appropriate conditions of supervision because his removal is not reasonably foreseeable. Petitioner's detention without a substantive removal plan puts him at risk for prolonged or indefinite detention in violation of the INA, as interpreted by *Zadvydas*.

B. Violations of Due Process

Petitioner's continued detention without a significant likelihood of removal in the reasonably foreseeable future violates his due process rights guaranteed by the Fifth Amendment of the United States Constitution. "[T]he Due Process Clause applies to all persons within the United States, including aliens, whether their presence is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis,* 533 U.S. 678, 693 (2001). "Freedom from imprisonment – from

government custody, detention, or other forms of physical restraint – lies at the heart of the liberty that Clause protects." *Id.* at 690.

In the Return of Writ, Respondent did not address the substantive due process framework governing civil detention. Under substantive due process doctrine, a restraint on liberty is only permissible if it serves a "legitimate nonpunitive objective." *Kansas v. Hendricks*, 521 U.S. 346, 363 (1997). The Supreme Court has only recognized two legitimate objectives of immigration detention: preventing danger to the community or preventing flight prior to removal. *See Zadvydas v. Davis*, 533 U.S. 678, 690-92. When ICE issued Petitioner an order of supervision, it found that he was neither a danger to the community nor a flight risk. No change in circumstances warranted the order's revocation upon Mr. Sanogoh's August 5, 2025 arrest. There is no reason to believe that Petitioner would not self-report for deportation at ICE's request. Petitioner's detention therefore does not bear a reasonable relationship with the two regulatory purposes of immigration detention: preventing danger to the community or flight prior to removal.

8 C.F.R. § 241.4(1)(1) provides: "Upon revocation, the [noncitizen] will be notified of the reasons for revocation of his or her release or parole. The [noncitizen] will be afforded an initial informal interview promptly 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.". Respondent argues that 8 C.F.R. § 241.4(1)(1) does not apply to Petitioner because he did not violate the conditions of his release. (Return of Writ, ECF 9, PageID 42-43 ("There are no claims that Sanogoh violated the conditions of his release.")). The Northern District of Ohio examined this argument and arrived at a different conclusion. *See Mbonga v. Raycraft*, No. 4:25-cv-02315, 2025 Dist. LEXIS 219578, at *11 (N.D. Ohio Nov. 7, 2025) ("[I]t 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." (citations omitted)). There, the Court also found: "Given Petitioner Mbonga's history of compliance and the fact that the travel documents had not yet been secured, his immediate detention was unnecessary." *Id.* at *9. Here, Petitioner is similarly situated. Mr. Sanogoh did not violate the conditions of his release. Respondent has yet to secure travel documents. Respondent did not comply with procedural regulations when they detained Petitioner on August 5, 2025.

This Court should follow *Mbonga* and hold that the procedural safeguards in § 241.4(1)(1) apply to supervision revocations under subsection (1). Certainly, this would not result in the re-litigation of his removal order, but rather an opportunity to respond to the revocation as the statute allows. Because the government failed to provide Petitioner with notice or an opportunity to be heard before revoking his supervision, his detention lacks the procedural safeguards the Fifth Amendment demands, and he is entitled to release.

"To determine whether a civil detention violates a detainee's due process rights, courts within the Sixth Circuit apply a three part balancing test set forth in *Mathews v. Eldridge*, 424 U.S. 319 (1976)." *Ariza v. Noem*, No. 4:25-CV-165, 2025 U.S. Dist. LEXIS 265012, at *28 (W.D. Ky. Dec. 23, 2025); *see also Guerrero-Sanchez v. Warden York County Prison*, 905 F.3d 208, 225 (3d Cir. 2018) (applying the *Mathews v. Eldrige* test in the context of post-removal-order-detention). *Mathews v. Eldrige* instructs courts to balance three factors to determine whether procedural due process is satisfied: (1) the private interest at issue; (2) the risk of erroneous deprivation of that interest through the procedures used, and the probable value, if any, of additional procedural safeguards; and, (3) the government's interest, including fiscal and administrative burdens that additional or substitute procedural requirements entail.

Under *Zadvydas*, "the serious constitutional problem arising out of a statute that, in these circumstances, permits an indefinite, perhaps permanent, deprivation of human liberty without any such protection is obvious." *Zadvydas* 533 U.S. at 692. The Constitution does not permit the government to indefinitely detain an individual who presents no flight risk or danger to the community, particularly where removal is not reasonably foreseeable. To hold otherwise would render Petitioner's detention punitive rather than regulatory, in violation of due process.

CONCLUSION

For the foregoing reasons, the Court should grant the Petition for Writ of Habeas Corpus, and order the requested relief pursuant to 28 U.S.C. § 2241, including declaring that Respondents' actions violate statutory and constitutional protections and order Petitioner's immediate release from ICE custody under an order of supervision.

Respectfully submitted,

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