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Attorney for the Petitioner

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**Ruhin R. Momin a.k.a. Ramila Patel**

Petitioner,

Case No. 1:25-cv-06437-MHC

**GEORGE STERLING**, Deputy Managing Director,  
Atlanta Field Office, **TODD M. LYONS**, Acting Director of  
U.S. Immigration and Customs Enforcement (ICE);  
**KRISTI NOEM**, Secretary of the  
Department of Homeland Security (“DHS”).

Respondents,

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**PETITIONER’S RESPONSE TO ORDER TO SHOW CAUSE**

Petitioner, Ruhin R. Momin, respectfully submits this Response to the Court’s November 13, 2025 Order directing her to show cause why this case should not be dismissed for lack of jurisdiction. In support, Petitioner states as follows:

**I. Immigration and Customs Enforcement’s (ICE) Recent Conduct Establishes an Imminent and Predictable Risk of Petitioner’s Re-Arrest.**

The Court found that alleged injury was speculative. Petitioner respectfully submits that the risk of arrest or re-detention is real, concrete, and imminent, supported by the following undisputed facts:

**A. ICE Previously Arrested Petitioner Without Warning During a Routine Appointment, Demonstrating a Concrete and Imminent Risk of Repeat Detention.**

Petitioner's risk of re-arrest is not hypothetical it is grounded in recent, documented conduct by the same agency under nearly identical circumstances. On August 29, 2025, Petitioner attended a scheduled biometrics appointment, a routine step in the processing of her I-130 petition and adjustment-of-status application. This was not a compliance check, enforcement action, or any proceeding associated with removal. It was a standard administrative appointment for the purpose of taking fingerprints and photographs, an appointment that noncitizens safely attend every day without any expectation or warning that they may be taken into custody. Despite this, ICE officers abruptly approached Petitioner outside the biometrics facility, placed her under arrest, and transported her to detention. She received no prior notice and no explanation other than that she was being taken into custody. At the time of her arrest Petitioner had no criminal history, no immigration violations beyond those already being resolved in her reopened proceedings. Petitioner's removal proceedings were reopened and terminated by the Chicago Immigration Court on June 6, 2024. *Please see Exhibit A, Immigration Judge's Order.* Petitioner's release from ICE custody was not voluntary nor routine. It occurred only after she filed a habeas corpus petition in the United States District Court for the Middle District of Georgia, which resulted in judicial intervention.

**II. ICE Check-In Appointments Carry a Well-Documented and Recognized Risk of Re-detention.**

ICE check-in appointments are not routine administrative interactions. They are one of the primary mechanisms ICE uses to effectuate enforcement actions, including arrest, custody transfer, and the initiation or reinstatement of removal efforts. Numerous federal courts have acknowledged that individuals particularly those with pending immigration cases face a heightened and predictable risk of detention during these mandatory appearances.

Unlike the biometrics appointment where Petitioner was previously detained an environment in which detention is uncommon check-ins are expressly designed to evaluate compliance and make enforcement decisions, including custodial decisions. If ICE detained her at a fingerprinting appointment where detention is rare, the probability of detention at a check-in where detention is expected and structurally easy is substantially greater. Finally, ICE's prior conduct toward Petitioner amplifies, rather than diminishes, this risk. ICE already detained her once without explanation at a routine appointment, held her for over two months, and only released her after she filed a federal habeas petition. This history places her in the exact category of individuals who are most vulnerable to re-detention: those whom ICE has previously targeted, previously held, and whose liberty was restored only through court intervention.

**III. Petitioner Suffers Serious Health Conditions That Will Be Worsened by Detention.**

Petitioner is a 61-year-old woman with multiple chronic and interacting medical conditions that substantially elevate the risks associated with any period of detention. Her diagnoses include hypertension (high blood pressure), high cholesterol, diabetes, chronic pain, mobility impairment requiring the use of a wheelchair, leg instability, general weakness, and fatigue. These conditions are not merely background health issues they require ongoing daily management, regular monitoring, and uninterrupted access to prescribed medications and mobility equipment. Petitioner recently sought care in an emergency room, as documented in the medical record already submitted, due to escalating pain, impaired mobility, and instability in her left leg. These symptoms directly affect her ability to ambulate safely and greatly increase her risk of falls. Falls within immigration detention facilities where the flooring is hard, medical response is delayed, and accommodations are limited are especially dangerous for individuals with her profile. *Please see Exhibit B, Petitioner's Statement.*

Detention would also disrupt her ability to maintain appropriate blood pressure and diabetes control. Individuals with diabetes experience rapid destabilization when meals, medication timing, and blood sugar monitoring are inconsistent conditions that are unfortunately common in detention settings. Likewise, hypertension requires consistent dosing and access to medication to prevent spikes that could lead to cardiac events, headaches, dizziness, or stroke. Furthermore, detention facilities often lack adequate disability accommodations. Petitioner relies on a wheelchair for mobility, and removal of or restricted access to mobility devices in detention is both common and well documented. Without proper accommodations, she would face increased immobility, heightened pain, and a substantial risk of injury.

As a woman with multiple comorbidities, Petitioner also faces a significantly higher risk of complications from infections, stress, and the physical demands of detention. Even short-term detention could lead to a measurable deterioration in her health. The Eleventh Circuit and other federal courts routinely recognize that medical deterioration, particularly when tied to chronic conditions requiring continuity of care, constitutes irreparable harm sufficient to warrant injunctive relief. In short, Petitioner's health conditions make detention not just unsafe, but dangerous, and create a substantial and immediate likelihood of serious medical decline. This further underscores why the threat of re-detention poses a real and imminent injury.

#### **IV. Petitioner Is Not Seeking Ex Parte Relief at This Time**

To the extent the Court raised concerns regarding the stringent requirements for ex-parte temporary restraining orders under Federal Rule of Civil Procedure 65(b), Petitioner respectfully clarifies that she is not seeking ex-parte relief. Petitioner does not request that the Court act without notice to the Government, nor does she seek to bypass the ordinary adversarial process. Petitioner is fully prepared to serve all Respondents promptly, proceed with full notice, ensuring that the

Government has a fair opportunity to respond, and brief the TRO under a standard schedule consistent with the Court's customary procedures for emergency injunctive relief.

Accordingly, any procedural concerns related to Rule 65(b)'s ex parte limitations are not implicated in the relief Petitioner currently seeks. These concerns relate only to the manner in which temporary relief is requested not to the Court's underlying jurisdiction or authority to hear the case. They therefore do not provide a basis for dismissal, particularly at this early stage where the Court is evaluating Article III standing and the existence of a live case or controversy. Petitioner simply asks for the opportunity to have her request for temporary relief adjudicated on the merits, with both sides fully heard, consistent with due process and the Federal Rules of Civil Procedure.

## **V. CONCLUSION**

For all the reasons set forth above, Petitioner respectfully submits that this case presents a live, justiciable controversy and that she has adequately demonstrated an imminent, concrete risk of irreparable harm sufficient to confer Article III standing. ICE's prior un-warned detention of Petitioner, her release only after filing a federal habeas petition, the well-documented risk of arrest at reporting appointments, and her serious medical vulnerabilities collectively establish that the threat of re-detention at her upcoming check-in is neither speculative nor remote.

Accordingly, Petitioner respectfully requests that the Court:

1. Decline to dismiss this case for lack of jurisdiction;
2. Allow Petitioner's TRO request to move forward on notice; or, in the alternative,
3. Grant leave to amend the Complaint to cure any technical deficiencies and clarify the jurisdictional basis for relief.

Petitioner stands ready to comply with all instructions of the Court and respectfully requests the opportunity to have her claims heard on the merits.

Respectfully submitted on November 23, 2025.

/s/ Bhavya Chaudhary

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**CERTIFICATE OF SERVICE**

I, Bhavya Chaudhary, Esq. hereby certify that a copy of the foregoing was mailed First class postage prepaid to the office of the Attorney General at the below address:

Todd M. Lyons  
Acting Director of U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> St. SW  
Washington, DC 20536

Kristi Noem  
Office of the General Counsel  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave, SE Washington, DC 20528-0485

George Sterling  
Atlanta ICE Deputy Managing Director  
180 Ted Turner Dr. SW, Ste 522, Atlanta, GA 30303

United States Attorney – Civil Process Clerk  
Northern District of Georgia  
75 Ted Turner Drive, SW  
Atlanta, GA 30303-3309

/s/ Bhavya Chaudhary

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Attorney for the Petitioner



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
CHICAGO IMMIGRATION COURT

Respondent Name:

PATEL, RAMILA

To:

CHAUDHARY, BHAVYA  
700 HOLCOMB BRIDGE ROAD  
NORCROSS, GA 30071

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

06/10/2024

ORDER OF THE IMMIGRATION JUDGE

Respondent was ordered removed from the United States *in absentia* on 02/17/2000

Respondent  the Department of Homeland Security has now filed a motion to reopen these proceedings.

Upon reading and considering the motion, and any opposition from the non-moving party, the motion is  granted  denied for the following reason(s):

- Failure to demonstrate that Respondent's failure to appear was the result of exceptional circumstances. *See* INA § 240(b)(5)(C)(i), (e)(1).
- Failure to demonstrate that the Respondent did not receive notice under INA § 239(a)(1)-(2). *See* INA § 240(b)(5)(C)(ii).
- Other:  
for good cause shown, and without opposition thereto.



Immigration Judge: Patti, Sebastian 06/10/2024

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due:

### Certificate of Service

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Respondent Name : PATEL, RAMILA | A-Number : 

Riders:

Date: 06/10/2024 By: Calderon, Ariana, Court Staff



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
CHICAGO IMMIGRATION COURT

Respondent Name:

PATEL, RAMILA

To:

CHAUDHARY, BHAVYA  
700 HOLCOMB BRIDGE ROAD  
NORCROSS, GA 30071

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

06/10/2024

ORDER OF THE IMMIGRATION JUDGE

Respondent  the Department of Homeland Security has filed a motion to terminate these proceedings, and the non-moving party was accorded notice and an opportunity to respond. The motion is  opposed  unopposed.

After considering the facts and circumstances, the immigration court orders that the motion to terminate is  granted  with  without prejudice  denied because:

- The Department of Homeland Security  met  did not meet its burden of proving by clear and convincing evidence that Respondent is removable as charged. 8 C.F.R. § 1240.8(a).
- Respondent  met  did not meet the burden of proving that Respondent is clearly and beyond a doubt entitled to admission to the United States and is not inadmissible as charged. 8 C.F.R. § 1240.8(b)-(c).
- Other.
- Further analysis/explanation:

for good cause shown, without opposition thereto, and in the interests of judicial economy.

RECEIVED  
JUN 17 2024



Immigration Judge: Patti, Sebastian 06/10/2024

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due:

### Certificate of Service

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Respondent Name : PATEL, RAMILA | A-Number :



Riders:

Date: 06/10/2024 By: Calderon, Ariana, Court Staff

### STATEMENT OF RUHIN MOMIN

My name is Ruhin Raishahmed Momin. I am currently residing with my family in Conyers, Georgia. I solemnly swear and affirm that the statements mentioned below are true and correct.

I am the mother of a U.S. citizen son, Mausufali Momin, who filed an I-130 Petition for Alien Relative, which was approved recently on September 22, 2025. I entered the United States without a visa in November of 1999. I have been continuously residing in the United States since my last entry in 1999. After my entry, Immigration and Naturalization Services (INS) in 1999 issued a notice to appear and commenced removal proceedings with the Chicago Immigration Court. I never received notice of hearing from the Court and the Immigration Judge ordered me removed in-absentia on February 17, 2000. Thereafter, my U.S. Citizen son filed an I-130 petition making me the beneficiary in his petition. Later, through my immigration attorney, I filed a motion to reopen and terminate my removal proceedings with the Chicago Immigration Court and on June 6, 2024, my removal proceedings were reopened and terminated by the Immigration Judge.

Thereafter, I pursued for my legal status by filing a petition for my green card with the United States Citizenship and Immigration Services (USCIS). The interview for my green card was scheduled for September 4, 2025. Additionally, on August 29, 2025, I was scheduled for my I-130 biometrics. I went to this appointment because I believed I was following the law and completing the normal steps in my immigration process. When I arrived, I was unexpectedly approached by ICE officers who placed me under arrest. I was shocked and extremely frightened. I had no warning that this would occur. The officers did not give me any meaningful explanation, other than that they were taking me into custody. This happened even though my removal proceedings had already been terminated by the Immigration Court. I later learned that the arrest was improper and contrary to my immigration posture at the time.

After my arrest, I was taken to Stewart Detention Facility in Lumpkin, Georgia where I was detained for more than two months. During detention, I was separated from my family and lived in constant fear that I would be removed from the United States without the opportunity to resolve my immigration case. My removal proceedings were reopened again at the Stewart Immigration Court. Thereafter, proceedings with the Court are currently pending.

Through my attorney, I filed a habeas corpus petition at the Federal Court in the Middle District of Georgia, and after litigation, I was eventually eventually released. The experience of being detained left me deeply traumatized. I still have nightmares and anxiety because of how suddenly ICE took me despite my compliance with all immigration requirements.

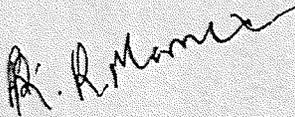
I suffer from high cholesterol, high blood pressure, and diabetes, all of which require daily medication and regular monitoring. My health has been declining over recent years, and I often

feel a general weakness throughout my entire body. This weakness affects my legs severely, especially my knees, which cannot support my weight for long. Because of this, I depend on a wheelchair for mobility and cannot walk without significant pain, instability, or the risk of falling. My medical conditions make me easily fatigued, and any stressful situation, missed medication, or interruption in routine medical care can cause dangerous spikes in my blood pressure and blood sugar. I am not physically strong. I am a 61-year-old woman whose body is fragile, and I cannot tolerate harsh environments, extended confinement, or situations where I am not able to take care of my health properly.

I respectfully ask the Court to protect me from another arrest by ICE in connection with my upcoming reporting appointment. I simply want to continue my lawful immigration process safely, without fear that my health, life, or safety will be put in danger again.

Sincerely,

Ruhin Momin

A handwritten signature in black ink, appearing to read "R. R. Momin", written in a cursive style.