

Exhibit 1

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SALIMBHAI MANSIYA

Petitioner,

v.

KRISTI NOEM, *et al.*,

Respondents.

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Civil Action No. 4:25-CV-05604

DECLARATION OF DEPORTATION OFFICER Jason Feliciano

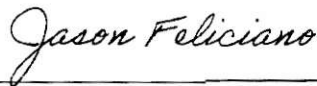
I, Jason Feliciano, make the following statements under oath and subject to the penalty of perjury:

1. I am currently employed as a Deportation Officer for the Harlingen, Texas, Field Office of Enforcement and Removal Operations (“ERO”), U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security (“ICE”). I have served in this capacity since September 2023. I have worked for ICE since 2023. My current duty station is at Port Isabel Service Processing Center (“PIC”), 27991 Buena Vista Blvd., Los Fresnos Texas 78566.
2. The statements I make herein are made based on my personal knowledge of ERO records kept in the normal course of business pertaining to Salimbhai Mansiya, [REDACTED] a native and citizen of India, and information I acquired during the performance of my official duties. I have reviewed the relevant documents from the petitioner’s alien file (“A-file”) and other official government records related to Mansiya’s removal proceedings, and unless otherwise stated, this declaration is based on that review.
3. Salimbhai MANSIYA is currently detained in ICE custody at the El Valle Detention Facility, located at 1800 Industrial Drive, Raymondville, Texas 78580, where he has been detained since November 23, 2025.
4. On April 17, 2011, MANSIYA entered the United States without inspection, at or near Hidalgo, Texas.

5. DHS served MANSIYA with an Order of Expedited Removal, but he claimed fear of returning to India.
6. On April 20, 2011, ICE transferred MANSIYA to the Credible Fear Section, pending a credible fear interview with U.S. Citizenship and Immigration Services (“USCIS”). On May 10, 2011, USCIS issued a credible fear finding, which resulted in the issuance of a Notice to Appear (“NTA”) charging him in violation of Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act for not having valid entry documents.
7. On July 15, 2011, MANSIYA appeared at his final removal hearing, and the Immigration Judge denied his application for asylum, statutory withholding of removal, and withholding of removal deferral under Article III of the Convention Against Torture and ordered him removed to India. MANSIYA reserved appeal of the decision that would have been due at the Board of Immigration Appeals no later than August 14, 2011. He did not timely appeal, which rendered his July 15, 2011, removal order final.
8. On October 18, 2011, ERO mailed the travel document request packet for MANSIYA to the Consulate General of India at Houston, Texas.
9. On November 30, 2011, ERO San Antonio Deputy Field Office Director exercised discretion in determining that MANSIYA remain in detention pending removal.
10. On November 30, 2011, ERO served the 90-day Post Order Custody Review (“POCR”), on MANSIYA.
11. On January 12, 2012, and on February 2, 2012, ERO followed up with the Consulate General of India in Houston, Texas, but did not hear back regarding the travel documents request for MANSIYA.
12. On February 15, 2012, ERO served the 180-day POCR and an Order of Supervised Release (“OSUP”) on MANSIYA, and he was released.
13. According to the OSUP documents, MANSIYA, in part, was required to provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document, to provide ICE with written responses from the Embassy or Consulate regarding his request, and assist ICE in obtaining any necessary travel documents.
14. On March 21, 2012, MANSIYA reported that he applied for a passport and was instructed to provide proof of his application at his next check-in.

15. On July 19, 2012, MANSIYA reported into ERO but did not provide proof of his passport application. ERO instructed MANSIYA to provide proof of his passport application at his next visit.
16. MANSIYA continued to report as instructed but did not provide ERO proof of his pending passport application, as required.
17. On June 19, 2019, MANSIYA reported into ERO and it was discovered that on March 30, 2019, MANSIYA was arrested for driving while intoxicated. ERO scheduled MANSIYA for a new report date for him to provide an update on his passport application and pending criminal case.
18. MANSIYA missed his next scheduled appointment on September 19, 2019.
19. On November 17, 2020, MANSIYA reported into ERO via telephone.
20. On November 15, 2021, MANSIYA was enrolled in CART for Kiosk check-in.
21. On November 18, 2025, MANSIYA reported to the ERO non-detain office in Houston, Texas for his CART Kiosk check-in, his OSUP was revoked, and he was taken into custody, pending the enforcement of his final order of removal from 2011.

Executed this 13th day of December 2025.



Jason Feliciano
Deportation Officer
Officer Immigration and Customs Enforcement
Enforcement and Removal Operations
South Texas ICE Processing Center

Exhibit 2

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
WARRANT OF REMOVAL/DEPORTATION

Subject ID: [REDACTED]
File No: [REDACTED]
Date: November 22, 2025

To any immigration officer of the United States Department of Homeland Security:

SALIMBHAI MANSIYA

(Full name of alien)

who entered the United States at Hidalgo, Texas on April 17, 2011
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

212a7A11:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

Salaries and Expenses, Department of Homeland Security 2025

[REDACTED SIGNATURE]

(Signature)

Assistant Field Office Director
(Title of immigration officer)

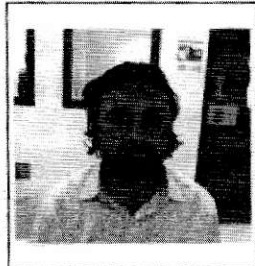
November 22, 2025, Edingburg, Texas
(Date and office location)

Alien No: [REDACTED]

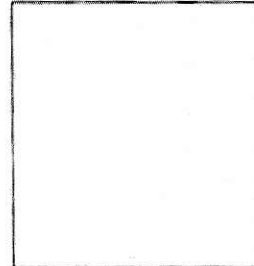
To be completed by immigration officer executing the warrant: Name of alien being removed:

SALIMBHAI MANSIYA

Port, date, and manner of removal: _____



Photograph of alien removed



Right index fingerprint of alien removed

REFUSED TO SIGN

(Signature of alien being fingerprinted)

[REDACTED]

- Deportation Officer

(Signature and title of immigration officer taking print)

Departure witnessed by: _____
(Signature and title of immigration officer)

If actual departure is not witnessed, fully identify source or means of verification of departure:

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here.

Departure Verified by: _____
(Signature and title of immigration officer)

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. [REDACTED]

Date: 11/22/2025

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that MANSIYA, SALIMBHAI is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for [REDACTED] under the Immigration and Nationality Act, the above-named alien.

[REDACTED]
(Signature of Authorized Immigration Officer)

[REDACTED] - SDDO
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at Edinburg, Texas
(Location)

on MANSIYA, SALIMBHAI on November 22, 2025, and the contents of this
(Name of Alien) (Date of Service)

notice were read to [REDACTED] ENGLISH language.
(Language)

[REDACTED] None
Name and Signature of Officer Name or Number of Interpreter (if applicable)

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. [REDACTED]

Date: NOV 18 2025

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that Mansiya, Salimbhai is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

[REDACTED]
(Signature of Authorized Immigration Officer)

[REDACTED] SSAO
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at Houston, TX (Location)

on Mansiya, Salimbhai (Name of Alien) on NOV 18 2025 (Date of Service), and the contents of this

notice were read to him or her in the [REDACTED] (Language) language.

[REDACTED]
Name and Signature of Officer

N/A
Name or Number of Interpreter (if applicable)

with the terms of that release. In addition, state criminal charges were brought against him. Accordingly, Petitioner was recently taken into custody so that he could be removed.

II. AUTHORITY BY WHICH PETITIONER IS HELD

Petitioner is being held in immigration detention pursuant to a final removal order. Dkt. 1 at ¶ 2; *see also* Exhibit 1, Declaration of Deportation Officer Feliciano at ¶ 7. Petitioner is therefore detained under 8 U.S.C. § 1231.

III. RELEVANT BACKGROUND

Petitioner is a native and citizen of India. Dkt. 1 at ¶ 1. In 2011, Petitioner entered the United States without inspection at or near Hidalgo, Texas. Exhibit 1 at ¶ 4. ICE served Petitioner with an Order of Expedited Removal. *Id.* at ¶ 5. On or about July 15, 2011, an immigration judge ordered Petitioner removed to India. *Id.* at ¶ 7. Petitioner remained in immigration detention until February 15, 2012. Exhibit 1 at ¶ 12.

Petitioner's Order of Supervision required him, to among other things, "assist U.S. Immigration and Customs Enforcement in obtaining any necessary travel documents." Dkt. 1 at p. 12. In addition, the order required Petitioner to "provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document." *Id.* at p. 13; *see also* Exhibit 1 at ¶ 14. In March of 2012, Petitioner reported that he applied for a passport; ICE instructed him to provide proof of his application at his next check-in. Exhibit 1 at ¶ 14. He failed to provide the information as instructed and required by the Order of Supervision. *Id.* at ¶ 15. In addition, ICE discovered that Petitioner was arrested for driving while intoxicated. *Id.* Thus, in 2019, Petitioner was once again instructed to provide an update on his passport application and to also provide an update on his pending criminal case. *Id.* at

¶ 17. Petitioner then missed his next scheduled appointment. *Id.* at ¶ 18. In November of 2025, Petitioner's Order of Supervision was revoked, a warrant was issued, and he was taken into custody pending the enforcement of his final order of removal. *Id.* at ¶ 21; Exhibit 2, Warrant.

IV. STANDARD OF REVIEW

Summary judgment is appropriate under Rule 56 of the Federal Rules of Civil Procedure only if the pleadings, along with evidence, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986); *see also* Fed. R. Civ. P. 56(c). Once a motion has been made, the nonmoving party may not rest upon mere allegations or denials in the pleadings but must present affirmative evidence, setting forth specific facts, to show the existence of a genuine issue for trial. *Celotex Corp.*, 477 U.S. at 322-23. If the moving party meets its burden, the non-moving party must show a genuine issue of material fact exists. *Id.* at 322. Furthermore, “only *reasonable* inferences can be drawn from the evidence in favor of the nonmoving party.” *Eastman Kodak Co. v. Image Tech. Servs., Inc.*, 504 U.S. 451, 469 n.14 (1992) (emphasis in original) (quoting *H.L. Hayden Co. of N.Y., Inc. v. Siemens Med. Sys., Inc.*, 879 F.2d 1005, 1012 (2d Cir. 1989)).

V. ARGUMENT

The instant habeas petition should be denied because (1) ICE lawfully revoked his supervision; and (2) he fails to show that the length of his detention is unlawful.

A. Petitioner is lawfully detained pursuant to 8 U.S.C. § 1231.

ICE's detention authority stems from 8 U.S.C. § 1231, which provides for the detention and removal of aliens with final orders of removal. Section 1231(a)(1)(A) directs immigration authorities to remove an individual with a final order of removal within a period of 90 days; this is known as the "removal period." During the removal period, section 1231(a)(2) commands that ICE "shall detain" the alien. If, however, the removal period has expired, ICE can either release the alien pursuant to an Order of Supervision as directed by Section 1231(a)(3) or may continue detention under Section 1231(a)(6). Per Section 1231(a)(6), ICE may continue detention beyond the removal period for three categories of individuals:

- Those who are inadmissible to the United States pursuant to 8 U.S.C. § 1182;
- Those who are subject to certain grounds of removability from the United States pursuant to 8 U.S.C. § 1227; or
- Those whom immigration authorities have determined to be a risk to the community or "unlikely to comply with the order of removal."

8 U.S.C. § 1231(a)(6) allows ICE to detain Petitioner because he is inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i); that is, Petitioner was neither admitted nor paroled in the United States upon entry.

B. ICE lawfully exercised its discretion to revoke Petitioner's Order of Supervision.

As explained in the supporting declaration, Petitioner did not comply with the terms of his Order of Supervision, nor did he comply with ICE's instructions during

his time out of detention. Exhibit 1 at ¶¶ 13-20. Petitioner failed to provide his passport application or status updates on that travel document as required by the Order of Supervision and ICE instructions. *Id.* In addition, ICE instructed petitioner to provide information about a state criminal charge. *Id.* at ¶ 17. Petitioner missed a check-in appointment after he was instructed to provide such information. *Id.* Petitioner's Order of Supervision was revoked, and he was then taken into custody in November of 2025 in accordance with a warrant. *See* Exhibit 2. Thus, ICE properly exercised its discretion to revoke Petitioner's Order of Supervision.

C. The revocation of an order of supervision is a non-reviewable discretionary decision.

The Government's decision to revoke an order of supervision is discretionary. *See* 8 C.F.R. §§ 241.5, 241.4(l)(2) ("Release may be revoked in the exercise of discretion when, in the opinion of the revoking official ... (iii) [i]t is appropriate to enforce a removal order"). Indeed, courts have recognized that the applicable regulations permit the Government "extraordinarily broad discretion to revoke" an order of supervision; and, "that discretion is expressly not limited to circumstances where a non-citizen violates the conditions of his" supervised release. *Zhen v. Doe*, No. 3:25-CV-01507-PAB, 2025 WL 2258586, at *10 (N.D. Ohio Aug. 7, 2025) (citing 8 C.F.R. § 241.4(l)(2)(i)-(iv)) (citations and quotations omitted). Here, the Petitioner has been re-detained to effectuate his removal because DHS determined it was appropriate to enforce the removal order, which is authorized in 8 C.F.R. § 241.4(l)(2)(iii). Courts have recognized

that, due to the discretionary nature of the power, the Government is not required to “demonstrate what facts or factors, if any, it considered in deciding to revoke.” *Mong Tran v. Nikita Baker*, 2025 WL 2085020, at *4 (D. Md. July 24, 2025). The discretionary nature of the decision divests the Court of jurisdiction to review a challenge to the revocation.

Under 8 U.S.C. § 1252(a)(2)(B), “Congress has sharply circumscribed judicial review of the ... process” whereby noncitizens may obtain review of a discretionary decision. *Patel v. Garland*, 596 U.S. 328, 332 (2022). The statute strips courts of jurisdiction to review decisions within the discretion of the Attorney General or Secretary of Homeland Security. *Id.* at § 1252(a)(2)(B)(ii). Thus, the Court lacks jurisdiction over a challenge to the revocation of an order of supervision. *See, e.g., Hafed v. US Immig. and Cust. Enft.*, No. 3:20-CV-1248-N-BN, 2020 WL 4587582, at *2 (N.D. Tex. June 30, 2020), report and recommendation adopted, No. 3:20-CV-1248-N, 2020 WL 4583635 (N.D. Tex. Aug. 10, 2020) (citing § 1252(a)(2)(B)(ii) and finding a lack of jurisdiction to consider a challenge to revocation of supervision order).

D. Petitioner’s current detention is within 90-days of when he was re-detained.

Although the language of § 1231 does not directly address this question, courts have held that, at least with respect to the mandatory 90-day removal period required by § 1231(a)(1)(A), the clock restarts each time an alien subject to a final order of removal is again detained by ICE. *See, e.g., Guerra-Castro*, 2025 WL 1984300, at *4; *Thai*

v. Hyde, No. 25-11499-NMG, 2025 WL 1655489, at *3 (D. Mass. 2025); *Meskini v. Atty. Gen. of U.S.*, No. 4:14-CV-42 (CDL), 2018 WL 1321576, at *3 (M.D. Ga. Mar. 14, 2018) (“This Court does not read *Zadvydas* to be a permanent ‘Get Out of Jail Free Card’ that may be redeemed at any time just because an alien was detained too long in the past.”); *Dogra v. I.C.E.*, No. 09–CV–065A, 2009 WL 2878459, at *2 n. 2 (W.D.N.Y. Sept. 2, 2009) (calculating length of detention as of petitioner's second time in ICE custody). The Court should adopt this approach in this case and find that Petitioner’s current length of detention, which began in November of 2025 , is within the bounds of the law.

VI. CONCLUSION

For the foregoing reasons, the Petition for Writ of Habeas Corpus should be denied.

Dated: December 14, 2025

Respectfully submitted,

NICHOLAS J. GANJEI
United States Attorney

s/ Jimmy A. Rodriguez
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on December 14, 2025, the foregoing was filed and served on counsel of record through the Court's CM/ECF system. The filing will also be served on the following by U.S. Mail:

Mame B. Faye
3226 Oakland Lake Circle
Missouri City, TX 77459

s/ Jimmy A. Rodriguez _____
Jimmy A. Rodriguez
Assistant United States Attorney