

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AMIN ZEHRA,	§	
	§	
Petitioner,	§	
	§	
v.	§	Civil Action No. 4:25-CV-05625
	§	
RANDALL TATE, <i>et al.</i> ,	§	
	§	
Respondents.	§	

THE FEDERAL RESPONDENTS' MOTION FOR SUMMARY JUDGMENT

Respondents Pamela Bondi, Kristi Noem, Todd Lyons, Marcos Charles, Bret Bradford, U.S. Immigration and Customs Enforcement, Department of Homeland Security, and Randy Tate (hereinafter the “Federal Respondents”) hereby request that the Court deny Petitioner’s habeas petition and grant summary judgment in the Government’s favor, in accordance with Federal Rule of Civil Procedure 56.

I. BACKGROUND AND PROCEDURAL HISTORY

As Petitioner Amin Zehra does not dispute, she is a citizen and native of Pakistan. *See* Exhibit 1 ¶ 2 (Sworn Declaration of Deportation Officer Jared L. Moss); Dkt. No. 1 ¶¶ 1, 26. She has a long immigration history, as laid out in Officer Moss’s declaration and alluded to in her petition. She had previously entered the United States with an admittedly fraudulent passport in 1999, and was ordered removed and successfully removed to Pakistan. Exh. 1 ¶¶ 6–9. In 2002, she again entered with fraudulent travel documents and was ordered removed in 2006 but was granted withholding of removal to Pakistan. *Id.* ¶ 15. Zehra was subsequently released on order of supervision until her present detention, as ICE took her back into custody

to pursue third-country removal. *Id.* ¶¶ 19, 22. ICE HQ has been pursuing removal since December 5, 2025, including having made requests for acceptance to Iran and Afghanistan. *Id.* ¶ 25. Those requests are currently pending.

On November 21, 2025, Petitioner filed a Writ of Habeas Corpus (Dkt. No. 1), challenging her detention as a violation of due process and applicable federal regulations. The Federal Respondents accordingly responds to the habeas petition with this motion for summary judgment.

II. ARGUMENT

The Court should reject Petitioner’s habeas petition because the INA provides that inadmissible aliens ordered removed “may be detained beyond the removal period[.]” 8 U.S.C. § 1231(a)(6). Such detention is permissible for “a period reasonably necessary to bring about that alien’s removal from the United States.” *Zadvydas v. Davis*, 533 U.S. 678, 121 S.Ct. 2491, 150 L.Ed.2d 653 (2001). Post-removal order detention is reasonable and lawful until and unless “the alien provides good reason” to “determine that there is no significant likelihood of removal in the reasonably foreseeable future.” *Id.* at 701. This burden belongs to the alien. *See id.*

Here, Petitioner has only been detained since November 21, 2025, as the agency is diligently pursuing third-country removal options, including with pending requests made to Iran and Afghanistan. While these efforts remain pending, the Court should find that Petitioner has not shown there is no significant likelihood of her removal in the reasonably foreseeable future. In *Andrade v. Gonzalez*, 459 F.3d 538 (5th Cir. 2006), the Fifth Circuit

dismissed a *Zadvydas* challenge as “meritless” where the alien “offered nothing beyond his conclusory statements suggesting” that he could not be removed. *Id.* at 543–44.

Until or unless Petitioner can identify a current geopolitical obstacle which would prevent removal, including to Iran and Afghanistan, and until or unless those countries with pending requests deny the currently-pending travel document request, the Court should decline to find no substantial likelihood of removal. *See, e.g., Tawfik v. Garland*, 2024 WL 4534747, at *3 (S.D. Tex. 2024) (rejecting the notion that “lack of visible progress” toward removal was sufficient and denying the habeas petition); *Apau v. Ashcroft*, No. 3:02-CV-02652, 2003 WL 21801154, *3 (N.D. Tex. June 17, 2003) (the “bare fact” that Ghana had not yet issued travel documents was not sufficient to carry the petitioner's burden under *Zadvydas*).

Thus, the Court should deny the petition and enter judgment in favor of the Government.

III. CONCLUSION

For the foregoing reasons, the Federal Respondents respectfully request that the Court grant their motion and deny Petitioner’s petition for a writ of habeas corpus.

Dated: January 9, 2026

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I certify that on January 9, 2026, the foregoing was filed and served on counsel for Petitioner via the Court's CM/ECF service.


/s/ Shawn D. Ren
Shawn D. Ren
Assistant United States Attorney


SWORN DECLARATION OF DEPORTATION OFFICER JARED L. MOSS

In accordance with 28 U.S.C. § 1746, I, Jared L. Moss, make the following sworn declaration under penalty of perjury that the following is true and correct to the best of my knowledge and belief.

1. My name is Jared L. Moss. I am a Deportation Officer assigned to the Houston, Texas Field Office of Enforcement and Removal Operations (“ERO”), a division of the United States Immigration and Customs Enforcement Agency (“ICE”), within the Department of Homeland Security (“DHS”). I have been employed by DHS since July 28, 2024, and have been in my current position since September 22, 2025.
2. I have prepared this declaration at the request of the United States Attorney’s Office, for the Southern District of Texas, for response to a Petition for a Writ of Habeas Corpus filed by Amin Zehra, who is a citizen of Pakistan, who has been assigned the following Administrative Number: 
3. The following representations are based on my personal and professional knowledge, information obtained from records maintained by DHS, a review of the administrative files, and information I have obtained from other DHS employees. I provide this declaration to the best of my knowledge, information, belief, and reasonable inquiry for the above captioned case.
4. My present duties include, inter alia, the processing and removal of aliens who are detained and subject to orders of removal. As part of my duties, I am required to confirm if an individual is subject to removal and all legal avenues have been completed. I communicate with consulates and embassies of countries to repatriate citizens of those countries or

acceptance of citizens of other countries who have been ordered removed from the United States. I also determine whether an alien is cooperating in effectuating their removal.

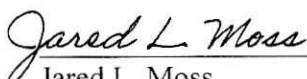
5. Mrs. ZEHRA is currently detained by ICE at the Houston Contract Detention Facility, Houston, Texas, pursuant to Code of Federal Regulations (CFR) § 241.4,
6. On September 24th, 1999, Mrs. ZEHRA applied with B1/B2 visa in Pakistan passport with the name of Ghelani, Ambreen Aziz DOB  She admitted her family purchased the fraudulent documents for \$16,000.00 US dollars. Then she stated she was going to live and work in Houston, Texas.
7. On same date, Mrs. ZEHRA was transported to Prince William Detention.
8. On September 27th, 1999, Mrs. ZEHRA was then excluded from the United States and departed.
9. On same date, Mrs. ZEHRA was removed to Pakistan from Washington, DC.
10. On November 17th, 2002, Mrs. ZEHRA a native and citizen of Pakistan who claims to have last entered the United States at or near San Francisco, CA with a fraudulent passport and visa.
11. On June 5, 2003, Mrs. ZEHRA submitted form I-485 application for adjustment of status under the name MAKHANI, Zohra Aftab showing an AKA of UMED ALI JUMANI, Zohra.
12. On December 6th, 2005, Per the I-213 narrative Mrs. ZEHRA was turned over to investigation (ICE) from examinations (CIS) where the subject's application for adjustment was denied due to a prior removal. (Processing Disposition: REINSTATEMENT OF DEPORT ORDER I-871)

13. On same date, Mrs. ZEHRA was transported to STONE PARK POLICE DEPT in Chicago, Illinois.
14. On December 7th, 2005, Mrs. ZEHRA was then transported to MCHENRY COUNTY SHERIFF'S office located in Chicago, IL.
15. On February 24th, 2006, Mrs. ZEHRA was granted withholding of removal. (RECEIPT# ) under the name ZEHRA, AMIN.
16. On same date, Mrs. ZEHRA was immigration processed as a T-Other Event and served all relevant forms including I-200, EOIR 33, & LOL forms.
17. On July 25th, 2006, Mrs. ZEHRA was transported to STONE PARK POLICE DEPT in Chicago, Illinois.
18. On July 26th, 2006, Mrs. ZEHRA was then transported to MCHENRY COUNTY SHERIFF'S office located in Chicago, IL.
19. On August 8th, 2006, Mrs. ZEHRA was released on Order of Supervision.
20. On August 8th, 2006, to September 12th, 2025, Mrs. ZEHRA was reporting based on her Order of Supervision as instructed.
21. On September 20th, 2025, Flag to see D.O., No Fingerprint Match, currently no guidance on third country removals for Pakistan nationals. Will be provided for another 2 months to report.
22. On November 21st, 2025, Mrs. ZEHRA was directed to report to officer resulting in no fingerprint match, she was taken into custody at Montgomery holding room in Conroe, Texas.

23. On same date, Mrs. ZEHRA has withholding of removal to Pakistan. No wants/warrants. Subject's current entry was admitted as a fraud/imposter but subject is a prior removal (ER). Subject cannot be reinstated under 241A5 due to current capture not being illegal capture. Subject processed as an I-200 & docket officer will attempt to remove to 3rd country.
24. On November 22nd, 2025, Mrs. ZEHRA was transported to Montgomery Processing Center in Conroe, Texas.
25. On December 5th, 2025, Request for acceptance letter emailed to Embassy of Iran and HQ RIO Afghanistan.
26. On December 8th, 2025, reached out to HQ RIO and inquire on any 3rd country removal options.
27. On December 16th, 2025, Mrs. ZEHRA was served I-229(a) and Notice to Alien File Custody Review.
28. On December 18th, 2025, reached out again to HQ RIO and inquire on any 3rd country removal options.
29. On December 29th, 2025, an Escort Threat Assessment was requested.

I declare under penalty of perjury that foregoing is true and correct to the best of my knowledge and belief.

Executed on this 9th day of January 2026.



Jared L. Moss
Deportation Officer
ICE/ERO, Houston, Texas