

JURISDICTION

This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*

This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).

This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

Venue is proper because Petitioner is detained at the Everglades Detention Center located at 54575 Tamiami Trail, Ochopee, Florida 34141; portions of such detention center located within Miami-Dade County, Florida.

A substantial part of the events or omissions giving rise to his claims have occurred within the geographical jurisdiction of the U.S. District Court, Southern District of Florida.

PARTIES AND FACTS ALLEGED

The Petitioner, **VLADIMIR KRECHMAR**, is a native of the former Soviet Union, who entered the United States on or about 1980 as a refugee from what is the former Soviet Union.

Respondent, **Charles PARRA**, is the Assistant Field Office Director of the Krome Detention Center, the facility where the Petitioner is currently detained. He is the highest supervisor directly on site at Krome.

Respondent, **Garret RIPA**, is the Field Office Director for ICE Enforcement and Removal Operations (ERO) in Miami, Florida. The Miami Office oversees immigration enforcement activities across Southern Florida, including facilities such as the Everglades Detention Center.

Respondent, **Todd LYONS**, is the Acting Director for U.S. Immigration and Customs Enforcement.

Respondent, **Kristi NOEM**, is the U.S. Secretary of Homeland Security.

All respondents are named in their official capacities.

Procedural History Relevant to this Petition for Writ of Habeas Corpus

1. On ##### ##, 1966, the Petitioner was born in Kiev, a city then part of the Union of Soviet Socialist Republic (“USSR”, the “Soviet Republic”); currently a city in the country of Ukraine.
2. In or about 1980, the Petitioner was admitted into the United States as a “refugee” from what is the former Soviet Union.²
3. The Petitioner ultimately adjusted status to Lawful Permanent Resident (“LPR”).³
4. The Petitioner became subject to several convictions⁴ rendering him deportable from the U.S.
5. The Petitioner failed to attend his deportation proceeding resulting in the New York, New York, U.S. Immigration Court, on April 5, 1996, ordering the Petitioner deported to the then-former Soviet Union.⁵
6. Because of legacy INS’⁶ inability to execute the outstanding order of deportation the Petitioner ultimately became subject to an Order of Supervision. See 8 U.S.C. § 1231(a)(3).

² 8 U.S.C. § 1157.

³ 8 U.S.C. §§ 1101(a)(20), and 1159.

⁴ Undersigned is currently gathering the Petitioner’s record(s) of conviction(s) to be submitted to this District Court as time permits. The Petitioner’s conviction(s) have no bearing as to the reason ICE is detaining the Petitioner.

⁵ The Petitioner became stateless because the former Soviet Union dissolved in 1991; with Ukraine adopting a new constitution in 1996. The foregoing circumstances led Petitioner to becoming stateless.

⁶ With the enactment of the Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135, responsibility for enforcing United States immigration laws was transferred from the U.S. Immigration and Naturalization Service (referred to as “legacy INS”) to the Bureau of Immigration and Customs (“BICE”) (currently U.S. Immigration and Customs Enforce (ICE), an agency of the U.S. Department of Homeland

7. The Petitioner, last placed on an Order of Supervision (OSUP) on July 25, 2017, has not been afforded the opportunity to appear before any court to contest a third country removal.

8. Despite being in compliance with the terms of ICE's Order of Supervision, on November 19, 2025, ICE arrested the Petitioner.

9. Multiple credible sources report that non-citizens, like Petitioner, are briefly held locally and then transferred outside of Florida to be "staged" for deportation.

10. Publicly available knowledge and current ICE practice demonstrates that ICE is seeking to relocate Petitioner to another facility outside of the State of Florida.

11. Petitioner's present detention is devoid of proper notice and reason by a government agency.

12. Any forthcoming relocation of the Petitioner to a facility outside Florida will cause him and his family ⁷ irreparable harm and violate his Fifth Amendment Right to Due Process including the right to counsel in deportation proceedings. ⁸

13. The Petitioner seeks an emergency order to prevent the Respondents from relocating him to a facility outside the jurisdiction of the U.S. District Court, Southern District of Florida to insure that the Petitioner's right to and availability counsel is preserved.

14. The Petitioner further asserts that his continued detention is violative of the Fifth Amendment Due Process Clause to the U.S. Constitution, and, as such, implores this U.S. District Court to order his immediate release from custody.

Security. See *Matter of Suh*, 23 I&N Dec. 626 n.1 (BIA 2003) (U.S. Department of Justice, Executive Office for Immigration Review (EOIR), agency precedent).

⁷ The Petitioner, is the husband of a U.S. Citizen and the father of two girls, one (1) and two (2) years old.

⁸ 8 U.S.C. § 1229a(b)(4), titled, "Alien's rights in proceeding", provides, in relevant portion,

"(A) the alien shall have the privilege of being represented, at no expense to the Government, by counsel of the alien's choosing who is authorized to practice in such proceedings"

15. The Petitioner is currently in the custody of the Respondents and one of the Respondents is his immediate custodian.

16. The Petitioner has complied with the reporting requirements in the ICE Order of Supervision.

17. The Petitioner last reported to ICE-Miramar on April 24, 2025, at which time he was scheduled to report back in April 2026.

18. On information and belief, on or about November 19, 2025, the Petitioner was detained by ICE agents without cause or reason.

19. ICE's apprehension of the Petitioner occurred while he was residing with his United States citizen wife and children.

20. The relocation of the Petitioner to another detention facility outside Florida will cause devastating and irreparable harm by obstructing meaningful access to undersigned counsel who is local to South Florida, thereby interfering with his right to legal representation and violating his due process rights, as well as support of his family, which includes a minor child.

21. Petitioner's family require his unwavering financial and familial support.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

22. Petitioner's removal as a legal matter should not be imminent.

23. The Petitioner was on an order of supervision and being monitored.

24. Reintroducing detention after passage of the statutory removal period ⁹, when the text clearly calls for supervision ¹⁰ is unconstitutional unless removal is imminent.

⁹ 8 U.S.C. § 1231(a)(1)(A).

¹⁰ 8 U.S.C. § 1231(a)(3).

25. Respondents' actions in the Petitioner's case demonstrates that (illegal) removal is imminent.

26. Petitioner has been in the United States since 1980 and resides in Cooper City, Florida.

27. He has been on OSUP and has complied with all of its requirements, including the comprehensive reporting requirements to ICE-ERO.

28. Currently, ICE is detaining Petitioner prematurely and without cause.

29. The Petitioner has received no documentation to indicate a third country has accepted him for removal.

30. And assuming there is a country that would accept him, the Petitioner is entitled to reopen his deportation proceedings to contest the distinct designation. 8 C.F.R. § 1240.10(f) ("an immigration judge shall identify for the record a country, or countries in the alternative").

31. Although presently detained at the Everglades Detention Center in Miami, Florida, strong and credible evidence demonstrates that he could be transferred at any moment, and without prior notice to Petitioner or his counsel.

32. This transfer would deprive Petitioner of a meaningful opportunity to challenge his detention, deportation and deprive him of effective access to his at this critical moment.

33. At the time of filing, the Petitioner is not in active removal proceedings before an immigration judge and is thus unable to request bond or seek release through the ordinary procedural channels available to detainees.

34. Only this Court can provide adequate relief.

COUNT TWO
Violation of Sixth Amendment Right to Counsel

35. On clear and reliable information and belief, the Petitioner may be moved to another facility without notice, in violation of his Sixth Amendment Right to Counsel and full evidentiary proceedings.

36. Upon issuance of the Writ, 28 U.S.C. § 2243 requires that the Petitioner be brought before a District Court for a hearing whereat the Petitioner may present witnesses to establish that ICE's actions and omissions are unlawful.

37. Transfer of the Petitioner results in witnesses (employees of ICE) not being readily available, obstructs justice and due process by depriving the Petitioner of his day in court, and access to such witnesses.

38. Relocation would significantly disrupt ongoing legal representation by obstructing undersigned's access to the Petitioner, impairing access to in-person confidential communications, frustrating timely submission of filings, and preventing Petitioner from meaningfully participating in his defense in the pursuit of immigration relief.

39. Relocation will cause irreparable harm to Petitioner by effectively denying him access to his retained counsel during a critical period of detention.

40. The Petitioner's circumstances represent a myriad of constitutional violations.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to:

- a. Assume jurisdiction over this matter;
- b. ORDER, on an emergency basis, that Petitioner not be transferred outside the Southern District of Florida until further notice from this Honorable Court;
- c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three (3) days;
- d. DECLARE that the Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
- e. DECLARE that the Petitioner's transfer violates the Sixth Amendment Right to Counsel;
- f. GRANT this Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;
- g. Award Petitioner reasonable costs and attorney's fees in this action as provided by the Equal Access to Justice Act, 28 U.S.C. § 2412, or other statute; and
- h. GRANT any further relief this Court deems just and proper.

Respectfully submitted on this day 24th day of November, 2025.

/s/STEVEN A. GOLDSTEIN
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