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GRIGOR OGANESIAN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GRIGOR OGANESIAN,

Petitioner,

vs.

CHRISTOPHER CHESTNUT, ET AL.,

Respondents.

) Case No. 1:25-cv-01667

) **RENEWED MOTION FOR**
) **ADMINISTRATIVE RELIEF PURSUANT**
) **TO LOCAL RULE 233: REQUEST TO**
) **SHORTEN TIME; ORDER RELEASE OR**
) **SET DETENTION HEARING, AND**
) **EXPEDITE CONSIDERATION OF**
) **PETITION FOR WRIT OF HABEAS**
) **CORPUS PURSUANT TO 28 U.S.C. § 2241**

(Submitted Without Hearing Per L.R. 233)
Judge: Hon. Edmund F. Brennan

Petitioner, by and through counsel, respectfully moves this Court pursuant to Local Rule 233 of the Eastern District of California for an order shortening time and expediting consideration of his Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241.

BACKGROUND

Petitioner is a citizen of Russia and Armenia who has been held in ICE custody for more than 18 months without a bond hearing, a final order of removal, or any individualized determination of flight risk or danger. On November 20, 2025, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging the legality of his continued detention. On December 23, 2025, Respondents filed a motion to dismiss on the ground that Petitioner's claims are unripe. On March 17, 2026, this Court denied the motion to dismiss and ordered respondents to file an answer on the merits to the Petition for Writ of Habeas Corpus. ECF 21. The Court further indicated that it would

1 “proceed to the consideration of the merits of the petition after filing of the briefing ordered below.”
2 ECF 21 at 6. On March 24, 2026, Respondents answered. On March 27, 2026, out of an abundance
3 of caution, and to expedite the proceedings to the extent practicable, Petitioner replied on March 27,
4 2026.

5 Expedited consideration is urgently warranted. Every day of continued unlawful detention is
6 itself an irreparable constitutional injury. Petitioner has been detained for over 18 months with no
7 foreseeable end to removal proceedings. Moreover, Petitioner's health has deteriorated significantly
8 during the period of confinement.

9 10 LEGAL STANDARD

11 Under Local Rule 233, requests to shorten time or alter a briefing schedule must be filed as a
12 Motion for Administrative Relief, submitted without hearing, not to exceed five pages. Oppositions
13 may be filed within five days of filing. This Court has authority under 28 U.S.C. § 2241 to review the
14 lawfulness of detention. *Boumediene v. Bush*, 553 U.S. 723, 745 (2008). The Ninth Circuit has
15 recognized § 2241 as the proper vehicle for challenging the legality of immigration detention. *Laing*
16 *v. Ashcroft*, 370 F.3d 994, 997 (9th Cir. 2004). This Court has inherent authority to manage its docket
17 and may expedite proceedings where good cause is shown. *Landis v. North American Co.*, 299 U.S.
18 248, 254 (1936). Courts in this district routinely grant expedited consideration in immigration
19 detention habeas cases given the ongoing nature of the constitutional injury. *See, e.g., C.A.R.V. v.*
20 *[Respondent]*, No. 1:25-cv-01395, (E.D. Cal. Oct. 2025) (setting expedited briefing and TRO hearing
21 schedule same day petition was filed).

22 23 ARGUMENT

24 25 A. Petitioner Faces Ongoing, Irreparable Harm

26 The deprivation of physical liberty is the quintessential irreparable harm because it cannot be
27 restored retroactively. Each additional day of unlawful confinement is a separate constitutional injury.
28 Petitioner has already been detained for more than 18 months, and failure to expedite this matter would

1 compound that harm substantially. Petitioner's physical and mental health has deteriorated
2 significantly during 18 months of confinement presenting urgent humanitarian concerns that support
3 expedited consideration here.

4 First, Petitioner has no upper teeth and requires dental prosthetics; his prior denture was due
5 for replacement at the time of detention and has not been replaced, causing ongoing gum pain and
6 difficulty eating.

7
8 Second, Petitioner was taken into custody approximately two months following gallbladder
9 removal surgery, at a time when his post-operative recovery required adherence to a medically
10 prescribed special diet. The facility has acknowledged this dietary need but has failed to implement it
11 appropriately.

12 Third, while in ICE custody, Petitioner suffered a spinal compression fracture, a serious
13 orthopedic condition that limits his mobility. ECF 1 at 14. As a result of pain associated with this
14 condition, Petitioner is able to ambulate only approximately once per week. He is rarely able to access
15 common areas, including the yard or the cafeteria, and frequently must remain confined to his sleeping
16 area—in part because the facility refuses to retrieve Petitioner's orthopedic shoes from his property.

17
18 Fourth, Petitioner suffers from high blood pressure for which he is prescribed two separate
19 medications. The facility ran out of one of the medications for three full weeks, and without it,
20 Petitioner's condition radically deteriorated. To compensate for the prior deficiency, and attempting
21 to regain control of Petitioner's blood pressure, the facility subsequently administered the previously
22 deprived medication at four times Petitioner's prescribed dosage for multiple weeks. While blood
23 pressure readings are rare in the facility, Petitioner's blood pressure measured 146/90 when it was last
24 measured on or before February 27, 2026.

25
26 Fifth, Petitioner suffers from kidney stones causing chronic pain radiating through his back
27 and legs. To manage this pain, Petitioner is administered six to seven pain relief pills within any given
28

1 24-hour period. The prolonged and frequent use of these medications raises serious concerns regarding
2 secondary organ damage, particularly to the liver and kidneys. Petitioner himself reports uncertainty
3 as to whether the pain he now experiences in the liver and kidney regions is attributable to the
4 underlying condition or to the cumulative effects of the medications administered to treat it—a
5 distinction that has not been adequately evaluated or addressed by the facility. Sixth, Petitioner has
6 been prescribed and has been taking antidepressants for a period exceeding six months, reflecting a
7 documented and ongoing mental health condition that has developed or worsened during detention.
8

9 Finally, Petitioner's wife and minor daughter are left without his support. His wife is herself in
10 need of surgery but is unable to undergo the procedure because she is the sole caregiver for their young
11 child. The family is experiencing severe financial hardship as a direct consequence of Petitioner's
12 continued detention.
13

14 **B. Delay Risks Mooting the Petition or Precluding Meaningful Relief**

15 Petitioner has already been detained for more than 18 months. Under *Zadvydas*, detention
16 beyond six months where removal is not reasonably foreseeable is presumptively unlawful. Each
17 additional month of delay is not merely procedural—it is the constitutional violation itself.
18

19 **C. The Petition Presents Substantial, Meritorious Claims**

20 The Petition raises serious constitutional and statutory claims that are well-grounded in circuit
21 and district precedent, including from this Court. Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), ICE
22 may not indefinitely detain a noncitizen whose removal is not reasonably foreseeable. Petitioner has
23 been detained for more than 18 months and there is no evidence that his immigration case will
24 terminate in the next 18 months. Courts in this district have recently granted relief on materially
25 identical facts. *See, Huang v. Albarran*, 2026 WL 279888 (E.D. Cal. Feb. 3, 2026) (granting
26 preliminary injunction where ICE failed to show significant likelihood of removal); *Martinez*
27 *Hernandez v. Andrews*, 2025 WL 2495767 (E.D. Cal. Aug. 28, 2025) (ordering bond hearing).
28

Under *Singh v. Holder*, 638 F.3d 1196, 1203-05 (9th Cir. 2011), prolonged pre-hearing detention without a bond hearing at which the government bears the burden violates the Fifth Amendment.

D. Respondents Will Suffer No Meaningful Prejudice

Respondents have access to Petitioner's A-file, detention records, and all relevant agency materials. Petitioner requests the Court order his immediate release or set a hearing within the next seven days to determine whether continued detention is proper when weighed against flight risk and potential danger to the community.

VI. RELIEF REQUESTED

Pursuant to Local Rule 233, Petitioner respectfully requests that this Court:

1. **Grant** this Motion for Administrative Relief;
2. **Order** Petitioner's *immediate release from custody, or a bail hearing within seven days;* and,
3. **Grant** such other and further relief as this Court deems just and proper.

Respectfully submitted,

Date: April 7, 2026

/s/ Danica Mazenko

DANICA MAZENKO

Attorney for Petitioner GRIGOR OGANESIAN

VERIFICATION

I, Danica Mazenko, declare as follows:

I am an attorney admitted to practice law in the State of California. Because many of the allegations of this pleading require a legal knowledge not possessed by Petitioner, I am making this verification on his behalf. I have read the foregoing and know the contents thereof to be true to my knowledge, information, or belief.

I certify under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on April 7, 2026.

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v.

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) 1:25-cv-01667-EFB

) **[PROPOSED] ORDER GRANTING**
) **MOTION FOR ADMINISTRATIVE**
) **RELIEF AND RELEASE FROM**
) **CUSTODY**

Having reviewed Petitioner's Motion for Administrative Relief requesting expedited consideration of his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging his detention by U.S. Immigration and Customs Enforcement, and good cause appearing:

IT IS HEREBY ORDERED that:

1. Petitioner's Motion for Administrative Relief is **GRANTED**;
2. Petitioner shall be immediately released from custody; and,
3. Respondents shall return all property confiscated from Petitioner during his arrest and processing into detention and provide him, or his attorney, with copies of any ICE documents that he signed and/or refused to sign.

IT IS SO ORDERED.

Dated: _____