

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-CV-62457-JB

KARIM SOUDBAKHSH  
Petitioner,

v.

JUAN F. GONAZALEZ, Assistant Field  
Office Director at Broward Transition  
Center.<sup>1</sup>

Respondent.

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**RESPONDENT'S RESPONSE TO COURT ORDER (ECF NO. 18)**

Respondent, Carlos R. Nunez, Assistant Field Office Director at Broward Transition Center, through the undersigned Assistant United States Attorney, respectfully submits this Response to this Court's Order, requiring Respondent to respond to Petitioner's "contention that removal to the [United Arab Emirates] is legally impossible" (ECF No. 18). Petitioner argues that removal is "impossible" because Respondent failed to provide any "communication with [or] letter of acceptance" from the United Arab Emirates showing that Petitioner has a "legal pathway to re-enter" the Emirates (ECF No. 17 at 2). The Court should deny the Petition because Petitioner has no claim under *Zadvydas v. Davis*, 533 U.S. 678 (2001), after refusing to assist authorities in obtaining travel documents. *Singh v. U.S. Attorney General*, 945 F.3d 1310, 1314 (11th Cir. 2019); Attachment A (Declaration of Deportation Officer).

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<sup>1</sup> Carlos R. Nunez is the appropriate Respondent.

## BACKGROUND

Petitioner Karim Soudbakhsh is a native and citizen of Iran who twice overstayed his visas to enter the United States, first in the 1970s and then in the 1990s. He was ordered removed from the United States in 1997 but did not leave voluntarily as he was required to do by order of the Immigration Judge. As a result, he was detained by immigration authorities on or about June 25, 2025 (ECF No. 7 at 2-3 (citing relevant exhibits)).

In his Amended Petition (ECF No. 9), Petitioner requested that this Court “Order my immediate release” based on the Supreme Court’s decision in *Zadvydas*, 533 U.S. 678. Petitioner argues that he “cannot be removed to Iran,” and the Department of Homeland Security “has not identified any third country willing to accept me.” (ECF No. 9 at 1-2). *See, generally, Zadvydas*, 533 U.S. at 701 (describing how “once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing”). In essence, Petitioner alleges that because he cannot be removed to *one country*, that is Iran (in that Petitioner established a credible fear of torture if returned to his native country), there is “no significant likelihood of removal in the reasonably foreseeable future” *to any country* in the world.

Respondent pointed out the logical fallacy in Petitioner’s claim that because (a) he cannot be removed to *one country*, (b) there is no likelihood that he will be removed to *any country* (ECF No. 12 at 5). To the contrary, Respondent pointed out that Petitioner had been “‘firmly resettled’ in the United Arab Emirates” before, suggesting that “the final order of deportation” could be “effectuated through removal to a third country” in the future (*id.*).

In his Reply, Petitioner argues that because *he personally* cannot obtain a visa to enter the United Arab Emirates (in that his prior sponsor died and because he has no contacts there), *the United States* could not obtain permission through diplomatic channels for the Emirates (or another country) to accept him.

### ARGUMENT

This Court must deny the Petition because Petitioner failed to cooperate with authorities in obtaining travel documents. As detailed in the attached Declaration of a Deportation Officer, “Petitioner refused to sign the travel document application informing the deportation officer that he does not want to go to any other country and wishes to remain in the United States to fight his case.” (Attachment).

Where, as here, a habeas petitioner raises a claim under *Zadvydas*, 533 U.S. 678, but refuses to cooperate with authorities to obtain travel documents, any *Zadvydas* claim must fail. As the Eleventh Circuit explained, Immigration and Customs Enforcement authorities “can continue to detain” a petitioner who refuses to cooperate in obtaining travel documents because “the keys to [Petitioner’s] freedom are in his pocket and he could likely effectuate his removal by providing the information requested.” *Singh*, 945 F.3d at 1314 (quoting *Pelich v. Immigration & Naturalization Serv.*, 329 F.3d 1057, 1060 (9th Cir. 2003)) (cleaned up) (describing how a petitioner “cannot convincingly argue that there is no significant likelihood of removal” when he refuses to cooperate). As the Ninth Circuit Court of Appeals explained, “The risk of indefinite detention that motivated the Supreme Court’s statutory interpretation in *Zadvydas* does not exist when an alien is the cause of his own detention.” *Pelich*, 329 F.3d at 1060.

### CONCLUSION

In this case, Petitioner raised a single *Zadvydas* claim of prolonged detention while simultaneously being the source of the prolonged detention after refusing to assist authorities in obtaining travel documents. For all these reasons, this Court should deny the Petition.

Respectfully submitted,

**JASON A. REDING QUIÑONES**  
**UNITED STATES ATTORNEY**

By: Carlos Raurell  
ASSISTANT U.S. ATTORNEY  
Fla. Bar. No. 529893  
U.S. Attorney's Office  
99 N.E. 4th Street, Suite 300  
Miami, Florida 33132  
Telephone: (305) 961-9243  
E-mail: Carlos.raurell@usdoj.gov  
*Counsel for Respondents*

### CERTIFICATE OF SERVICE

I certify that on February 13, 2026, I uploaded the attached document to the Court's PACER system. Moreover, I certify that a copy with exhibits was mailed to:

Karim Soubakhsh  
A   
Broward Transitional Center  
3900 North Powerline Road  
Pompano Beach, FL 33073

By: /s/ Carlos Raurell  
Assistant United States Attorney