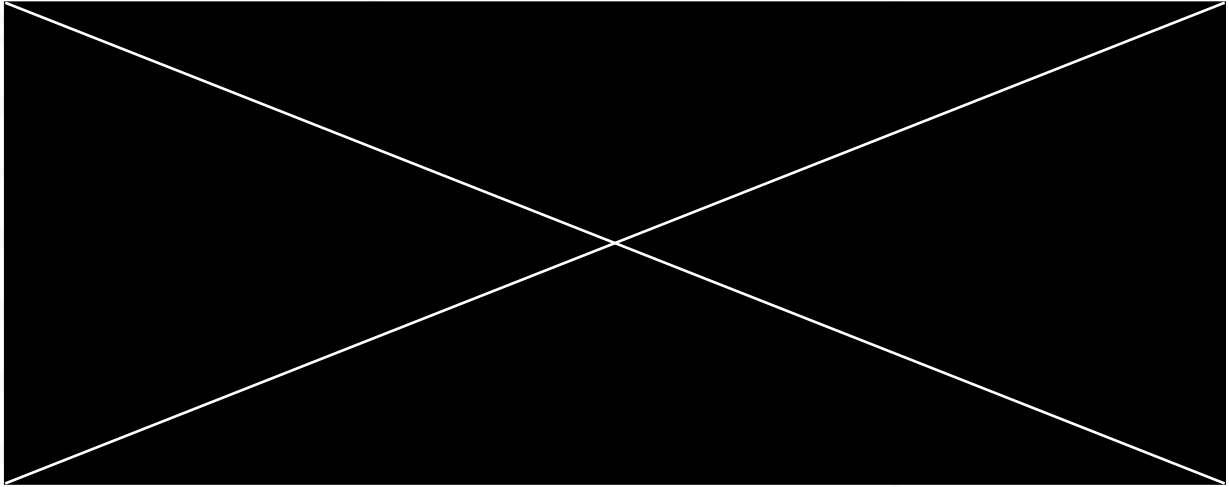


Accordingly, to vindicate Petitioner's constitutional rights, this Court should grant the instant petition for a writ of habeas corpus.



3. Mr. Nour entered the United States on or about July 7, 2024 and was apprehended by ICE and placed in the custody of DHS that same day.

4. Mr. Nour suffers from persistent gastrointestinal issues which have led to chronic vomiting and periods where he is unable to eat. In addition, he experiences severe mental health challenges, including anxiety that contributes to ongoing insomnia and worsens his stomach issues. Mr. Nour's prolonged incarceration and fear of deportation have only worsened his anxiety. (Medical Records p. 189.)

5. On January 21, 2025, the Immigration Judge ("IJ") denied Respondent's application for asylum on the basis of the circumvention of lawful pathways bar, 8 C.F.R. §§ 1208.33 and 1208.35, and the "material support" bar under 8 U.S.C. § 1182 (a)(3)(B)(i)(I), and found he did not qualify for relief under the Convention Against Torture. (I.J. 8-12, 18-19.) Although the I.J. explicitly acknowledged that Mr. Nour suffered past persecution because of his race, the I.J. nevertheless denied withholding of removal, relying on the assertion that Mr. Nour's coerced act

of gathering rocks and sticks while held captive amounted to “material support” for a terrorist organization. (I.J. 12–14).

6. Mr. Nour’s civil detention is now approaching a year and a half without a bond hearing, longer the period of civil detention presumed reasonable by the Supreme Court. *See Zadvydas v. Davis*, 533 U.S. 678, 679 (2001). Moreover, this Court and others have granted writs of habeas corpus in cases involving challenges to periods of detention that were shorter than Mr. Nour’s. *See, e.g. Abdulkadir A. v. Sessions*, No. 19-cv-2353 (NEB/HB), 2019 WL 201761 (D. Minn. Jan 15, 2019) (nine months compared to Mr. Nour’s approximately 17 months). His continued and prolonged detention violates the Due Process Clause of the Fifth Amendment. Accordingly, Mr. Nour brings this Petition for Writ of Habeas Corpus to challenge his continued prolonged detention on constitutional grounds.

JURISDICTION

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

8. 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). Under 8 U.S.C. § 1252(e)(2), this Court has habeas authority to determine whether Petitioner was ordered removed under 8 U.S.C. § 1225(b)(1).

9. 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.

10. Federal district courts have jurisdiction to hear habeas corpus claims by noncitizens challenging the lawfulness of constitutionality of their detention by DHS. *Jennings v. Rodriguez*,

138 S. Ct. 830, 841 (2018); *Demore v. Kim*, 538 U.S. 510, 516-17 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

VENUE

11. Venue is proper because Petitioner is detained at Freeborn County Detention Center in Albert Lea, Minnesota which is within the jurisdiction of this District.

12. Venue is proper in this District because some of the Respondents are headquartered within this District pursuant to 28 U.S.C. § 1391(e)(1)(a).

REQUIREMENTS OF 28 U.S.C. § 2243

13. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require respondents to file a return “within *three days* unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.* (emphasis added).

14. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as “perhaps the most important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

15. Mr. Nour is a citizen of Sudan. Mr. Nour is currently detained at Freeborn County Detention Center. He is in the custody, and under the direct control, of Respondents and their agents.

16. Respondent Warden of Freeborn County Detention Center has immediate physical custody of Petitioner pursuant to the facility's contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent Warden is a legal custodian of Petitioner.

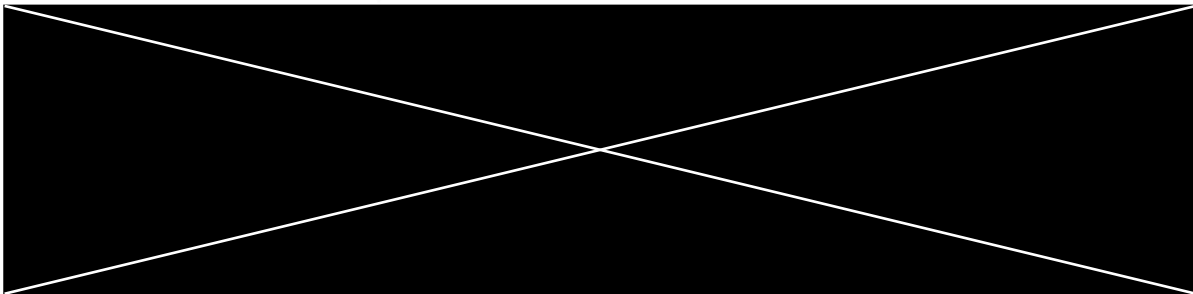
17. Respondent David Easterwood is sued in his official capacity as the Acting Director of the Saint Paul Field Office of U.S. Immigration and Customs Enforcement. Respondent Easterwood is a legal custodian of Petitioner and has authority to release him.


18. Respondents Kristi Noem sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement, the component agency responsible for Petitioner's detention. Respondent Noem is a legal custodian of Petitioner.

19. Respondent Pamela Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent Bondi is a legal custodian of Petitioner.

STATEMENT OF FACTS

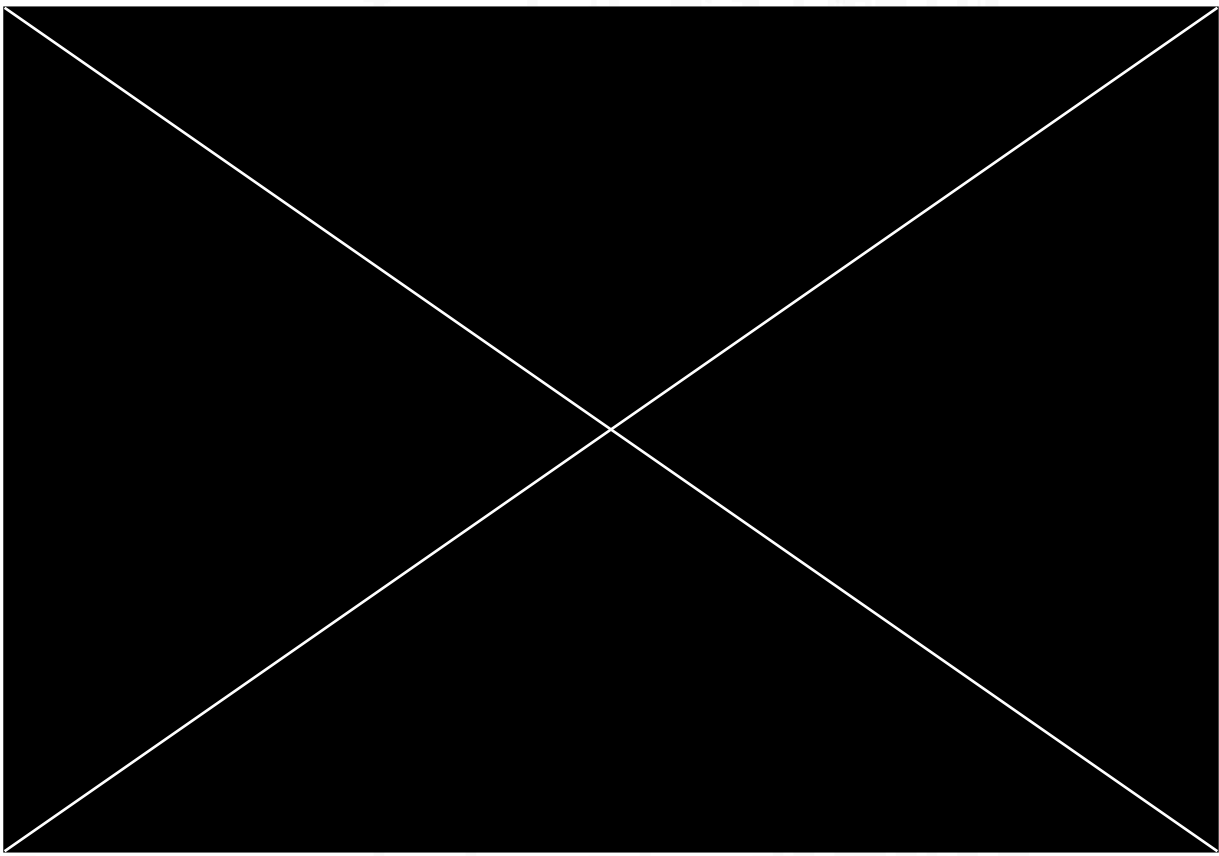
20. Mr. Nour is a 25-year-old citizen of Sudan and is a member of the Zaghawa tribe. Mr. Nour's father was killed in the war in Darfur and Mr. Nour does not know whether his mother is still alive. (Tr. 40.) Mr. Nour's uncle, Ismail Adam Eidood is in the United States and is ready, willing, and able to house and support Mr. Nour.



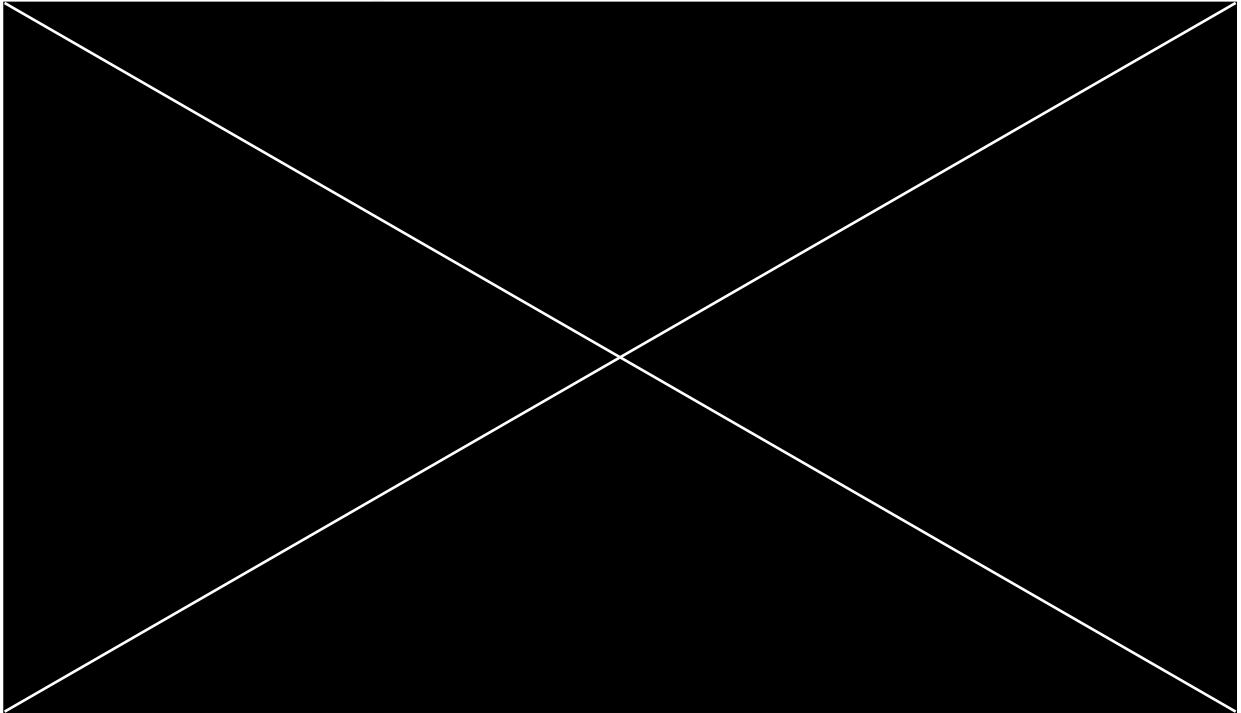
22. The Sudanese government is complicit in the violence against the Zaghawa people. 





The Sudanese government is also targeting the Zaghawa, sending planes to destroy homes in the Zaghawa region. (Tr. 57.) Those planes killed other Zaghawa people and have forced many to flee. (Tr. 57.) Mr. Nour accordingly cannot rely on the Sudanese government to protect him.



Mr. Nour did not participate in any violence. (Tr. 72, 75.)




28. Mr. Nour stayed in Chad for two months but remained unsafe 


 so he fled to Cameroon. (Tr. 46–47, 79.) Mr. Nour also attempted entry into Turkey but was turned back, then traveled through Morocco, Spain, Colombia, Costa Rica, El Salvador, and Nicaragua before reaching the U.S. border via Mexico. (Tr. 47–50, 57.) He could not schedule an appointment through CBP One due to severe stomach pain and vomiting during the journey (Tr. 50–51) and imminent cartel threats in Mexico where he experienced people being kidnapped at his hotel. (I.J. Ex. 6.)

29. Mr. Nour entered the United States on or about July 7, 2024 and was apprehended by ICE and placed in the custody of DHS.

30. On December 20, 2024, and January 13, 2025 I.J. Sarah Mazzie heard testimony regarding Mr. Nour’s application. (I.J. 2.) Mr. Nour appeared *pro se*. At the first hearing DHS brought up, for the first time, that they intended to argue that the “material support” bar under 8

U.S.C. § 1182 (a)(3)(B)(i)(I) prohibited Mr. Nour’s application. (Tr. 69.) Following the first hearing, DHS requested a continuance to do additional research. (Tr. 80-81.)

31. Upon reconvening, DHS argued that the material support bar applied *before Mr. Nour was present at the hearing*. (Tr. 85-86.) Upon being told that the DHS would be raising the circumvention of lawful pathways and material support bar, Mr. Nour pushed back that he did not have anything to do with , they just kidnapped him. (Tr. 88-90.) The IJ shut down this line of testimony, stating “I’m not looking for legal arguments at this point.” (Tr. 90-91.) Mr. Nour was not afforded the opportunity to provide meaningful testimony to defend against DHS’s argument that the circumvention of lawful pathways or material support bar were applicable.

32. On January 21, 2025, despite finding that Mr. Nour experienced past persecution on account of his race (I.J. 12–14), the I.J. found that Mr. Nour was barred from withholding because he engaged in terrorist activity by collecting rocks and sticks  while in their custody. (I.J. 10, 12-14.) The I.J. also denied Mr. Nour’s application for asylum on the basis of the circumvention of lawful pathways bar, 8 C.F.R. §§ 1208.33 and 1208.35. The I.J. also denied Mr. Nour’s request for relief under the CAT because he did not demonstrate that future torture would be committed by, at the instigation of, or with consent or acquiescence of a public official of Sudan. (I.J. 18-19.)

33. Mr. Nour appealed the I.J.’s decision before the Board of Immigration Appeals (“BIA”). On November 5, the BIA issued its decision affirming the I.J.’s denial of Mr. Nour’s applications for asylum and withholding of removal pursuant to 8 U.S.C. §§ 1158(b)(1)(A) and (b)(3)(A). (Exhibit C, BIA Order at 2.) The BIA adopted the IJ’s determination that the “material support” bar rendered Mr. Nour ineligible for either form of relief. (Id.) Although the I.J. alternatively

concluded that the Circumvention of Legal Pathways bar also precluded asylum, the BIA declined to reach that issue. (*Id.* at 2 n.2.) The BIA further rejected Mr. Nour’s claim that the I.J. violated his due process rights during removal proceedings. (*Id.* at 5.) However, the BIA reversed the I.J.’s denial of protection under the Convention Against Torture (“CAT”) and remanded for further proceedings limited to Mr. Nour’s eligibility for deferral of removal. (*Id.*) The I.J. has scheduled the remanded individual hearing for January 5, 2026.

34. On December 1, 2025 Mr. Nour filed a Petition for Review before the Eighth Circuit challenging the BIA’s affirmation of the I.J.’s determination on the “material support” bar and the BIA’s conclusion that the I.J. did not violate Mr. Nour’s due process rights during removal proceedings. (Exhibit C, Pet. for Rev.)

LEGAL FRAMEWORK

A. CONTINUED DETENTION OF MR. NOUR IS A VIOLATION OF THE DUE PROCESS CLAUSE

35. Mr. Nour’s detention constitutes a clear violation of the Fifth Amendment, which guarantees that “[n]o person shall be ... deprived of life, liberty, or property, without due process of law[.]” U.S. Const. Amend. V. The ongoing detention of Mr. Nour infringes upon the Due Process Clause of the Fifth Amendment. *Liban M.J. v. Secy' of Dep't of Homeland Sec.*, 367 F. Supp. 3d 959, 961 (D. Minn. Mar. 18, 2019); *Demore v. Kim*, 538 U.S. 510, 523 (2003) (citing *Reno v. Flores*, 507 U.S. 292, 306 (1993)) (“[I]t is well established that the Fifth Amendment entitles aliens to due process of law in deportation proceedings”).

36. Indeed, government does not have authority to detain Mr. Nour without bond indefinitely. In *Demore v. Kim*, the Supreme Court upheld the mandatory detention regime in facial constitutional challenge, but expressly confined its holding to the “brief period necessary

for [] removal proceedings.” 538 U.S. 510, at 513 (2003). Critically, the Court’s conclusion rested on the government’s inaccurate assurances that detention was typically short. *Id.* at 529–31 (noting that removal proceedings averaged 47 days, with appeals adding roughly four months). Thus, when detention extends beyond a “brief period,” serious constitutional concerns arise. *See Demore*, at 529–30. Mr. Nour has now endured nearly 17 months in detention, far exceeding the timeframe the Court deemed permissible in *Demore*. *See id.*; *Abshir H.A. v. Barr, et al.*, 19-CV-1033 (PAM/TNL), at *4 (D. Minn. Aug. 7, 2019); *Liban M.J.*, 367 F. Supp. 3d at 962; *Reid v. Donelan*, 991 F. Supp. 2D 275, 281 (D. Mass. 2014), *aff’d*, 819 F.3d 486 (1st Cir. 2016) (finding that fourteen months of detention is “well beyond the brief detainment contemplated in *Demore*.”); *Ly v. Hansen*, 351 F.3d 263, 270 (6th Cir. 2003) (“[W]e affirm ... that incarceration for 18 months pending removal proceedings is unreasonable.”). Judicial precedent establishes that the government’s burden to justify ongoing detention intensifies proportionally with its duration. *Tindi v. Sec’y, Dep’t of Homeland Sec.*, No. CV 17-3663 (DSD/DTS), 2018 WL 704314, at *4 (D. Minn. Feb. 5, 2018).

37. Pursuant to the Due Process clause, detention is valid if ordered “with adequate procedural safeguards or a special justification outweighs the individual’s liberty interest,” *Zadvydas*, 533 U.S. at 679, and the Supreme Court has continuously held that civil detention “for any purpose constitutes a significant deprivation of liberty that requires due process protection.” *Addington v. Texas*, 441 U.S. 418, 425 (1979). After the Supreme Court’s decision in *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), courts have looked to “address the constitutional issue directly” by applying a fact-based individualized standard to grant requests for habeas relief. *Mohamed v. Sec’y, Dep’t of Homeland Sec.*, 2018 WL 2392205, at *8 (D. Minn. Mar. 26, 2018).

38. Courts in the District of Minnesota have applied such an individualized standard based on to determine the constitutionality of a non-citizens' pre-removal detention. 138 S. Ct. 830; *Liban M.J.* 367 F. Supp. 3d at 963; *Mohamed*, 2018 WL 2392205, at *12 (citing *Tindi*, 2018 WL 704314); see also *Abdulkadir A.*, 2018 WL 7048363, at *10–13. The relevant factors in this inquiry ask the Court to consider: (1) the total length of detention; (2) the likely duration of future detention; (3) the conditions of detention; (4) delays caused by the detainee; (5) delays caused by the government; and (6) the likelihood that the removal proceedings will result in a final order of removal.” *Liban M.J.*, 367 F. Supp. 3d at 963. (citing *Muse v. Sessions*, No. 18-CV-0054 (PJS/LIB), 2018 WL 4466052, at *2 (D. Minn. Sept. 18, 2018)).

39. Applying this test to Mr. Nour's case: the first factor is the total length of detention to date. *Id.* “This inquiry ‘contemplates how long th[e] deprivation has lasted’ and is critical of detention that can no longer be categorized as ‘brief.’” *Id.* (citing *Muse v. Sessions*, 2018 WL 4466052, at *4). Mr. Nour has been detained for 514 days, almost 17 months, without a bond hearing. His detention is only 1 month less than the period considered by the Supreme Court in *Demore*. 538 U.S. at 529-530; *Abshir H.A. v. Barr, et al.*, 19-CV-1033 (PAM/TNL), at *4 (D. Minn. Aug. 7, 2019) (finding that the Petitioner's detention of eighteen months far exceeds the periods of detention considered by the Supreme Court in *Demore* and weighs heavily in favor of the petitioner.) It is more likely than not that by the time this petition is heard and decided, Mr. Nour will have exceed eighteen months in detention. Accordingly, this factor weighs heavily in Mr. Nour's favor.

40. The second factor is the likely duration of future detention. *Liban M.J.*, 367 F. Supp. 3d at 963. Mr. Nour's is now before the I.J. upon remand of the CAT determination, and has a petition for review pending in the Eighth Circuit. Accordingly, his removal proceedings are

basically guaranteed to continue into 2026, and likely will run into 2027. Therefore the likely duration of future detention also weighs in Mr. Nour's favor.

41. The third element to determine the reasonableness of detention are the conditions of detention. *Liban M.J.*, 367 F. Supp. 3d at 963. This Court found in *Muse* that “[t]he more that the conditions under which the alien is being held resemble penal confinement, the stronger his argument that he is entitled to a bond hearing.” *Muse*, 2018 WL 4466052, at *5. Mr. Nour is being detained at the Freeborn County Jail alongside inmates serving criminal sentences and awaiting criminal trials. His detainment is “indistinguishable from penal confinement.” *Id.* In addition, Mr. Nour's deprives him from receiving timely and appropriate medical and mental health treatment, subjecting him to conditions resemble penal confinement in their character, including isolation and segregation. It is notable that Mr. Nour is being detained solely for entering the United States. Therefore, this factor weighs strongly in his favor.

42. The fourth factor recognized by this Court are any delays in proceedings caused by the detainee. *Muse*, 2018 WL 4466052, at *5; *Liban M.J.*, 367 F. Supp. 3d at 963. Mr. Nour pursued litigation to defend himself in his removal proceedings in good faith. See *Tindi*, 2017 WL 10259531, at *5 (holding that absent evidence of bad faith or dilatory tactics, a detainee may not be detained indefinitely “merely because he has pursued his legal rights”). Detention is not reasonable solely because the delay is caused by the time needed for individuals to litigate their cases. See *Liban M.J.*, 367 F. Supp. 3d at 965 (“Petitioner is entitled to raise legitimate defenses... to his removal[.]”); see also *Sopo v. U.S. Att’y Gen.*, 825 F.3d at 1218, *vacated* 890 F.3d 952 (11th Cir. 2018); *Ly v. Hansen*, 351 F.3d at 272. Therefore, this factor is neutral.

43. The fifth factor considered is any delay caused by the government. *Muse*, 2018 WL 4466052, at *5; *Liban M.J.*, 2019 WL 1238834, at *3. The government has not engaged in dilatory tactics in Mr. Nour's removal proceedings. This factor is neutral.

44. Finally, although Mr. Nour in no way asks this Court to engage the merits of his forthcoming petition for review before the Eighth Circuit, the last factor—the likelihood that Mr. Nour will ultimately be removed—also favors Mr. Nour considering that his request for CAT relief is being considered before the I.J. and he has a petition for review pending before the Eighth Circuit. Either avenue has the potential to lead to a grant of asylum.

45. In total, the majority of factors to determine the reasonableness of detention from *Muse* and *Liban M.J.* weigh in favor of Mr. Nour. Mr. Nour has already been detained for almost 17 months; his future detention is likely to last for several more months; he is currently being detained in civil detention alongside those serving criminal sentences to severe detriment, and his prolonged detention continues despite a likelihood he will succeed in his Eighth Circuit petition for review. The remaining two factors are neutral as neither the government or Mr. Nour engaged in dilatory tactics to delay removal proceedings. Without habeas relief, ICE will continue to detain Mr. Nour for at least months beyond the unreasonably prolonged period of almost two years he has already been imprisoned. Mr. Nour is entitled to immediate release. Alternatively, Mr. Nour must be granted an immediate bond hearing at which the government bears the burden of proving by clear and convincing evidence that Mr. Nour's ongoing detention is justified, and any bond that is set accounts for his ability to pay.

**B. THE GOVERNMENT SHOULD BEAR THE BURDEN OF PROOF IN BOND
HEARING**

46. Some courts have held that where bond hearings become required due to the length of detention, due process places the burden of proof on the government to establish by clear and convincing evidence that continued detention is justified. *See, e.g., Singh v. Holder*, 638 F.3d 1196, 1204 (9th Cir. 2011) (holding that due process requires that the government bear the burden of justifying continued detention by clear and convincing evidence at a prolonged detention hearing); *see also Chavez-Alvarez v. Warden York County Prison*, 783 F.3d 469, 478 (3d Cir. 2015) (ordering a bond hearing in the context of prolonged § 1226(c) detention where the government would be required to “produce individualized evidence” that the respondent’s continued detention was necessary); *Diop*, 656 F.3d at 233 (stating that when detention becomes unreasonable, due process demands a hearing at which the government bears the burden of proving continued detention is necessary “to fulfill the purposes of the detention statute.”).

47. Additionally, when the Supreme Court has permitted civil detention in other contexts, it has relied on the fact that the government bore the burden of proof at least by clear and convincing evidence. *See United States v. Salerno*, 481 U.S. 739, 750 (1987) (holding that in a full-blown adversary hearing, the government must, under clear and convincing evidence, demonstrate to a neutral decision-maker that no alternatives to detention could assure the safety of the community); *Foucha v. Louisiana*, 504 U.S. 71, 81-83 (1992) (striking down civil detention scheme that placed burden on the detainee); *Zadvydas*, 533 U.S. 678, 692 (finding post-final-order custody review procedures deficient because, inter alia, they placed burden on detainee).

48. The Supreme Court has further articulated that due process mandates a heightened standard of proof in civil cases when the individual interests at stake are both “particularly important” and “more substantial than mere loss of money.” *See Singh v. Holder*, 638 F.3d at

1204; *Santosky v. Kramer*, 455 U.S. 745, 756 (1982) (quoting *Addington v. Texas*, 441 U.S. at 424).

49. As a result of the above, Mr. Nour must be immediately released, but in the alternative and at a minimum he must be afforded a bond hearing: “[t]he Due Process Clause foresees eligibility for bail as part of due process” because “[bail] is basic to our system of law.”

Jennings, 138 S.Ct. at 862 (Breyer, J., dissenting) (internal quotations and citations omitted).

Where a noncitizen has been detained for a prolonged period or is pursuing a substantial defense to removal or claim to relief, due process requires an individualized determination that continued detention is warranted. *Demore*, 538 U.S. at 532 (Kennedy, J., concurring) (“Individualized determination as to his risk of flight and dangerousness” may be warranted “if the continued detention became unreasonable or unjustified.”).

50. At a bond hearing, in addition to placing the burden on the government to prove by clear and convincing evidence that continued detention is justified,⁶ the noncitizen’s ability to pay a bond must be considered in determining the appropriate conditions of release.

51. This court could order the IJ to give Mr. Nour a bond hearing at which the government would have to bear the burden of proof and the court should be required to consider Mr. Nour’s ability to pay, however, here we respectfully submit a bond hearing by this court is the more appropriate step, if immediate release is not granted, because this court is in the position to provide Mr. Nour a truly neutral arbiter.

52. As a result of the above, Mr. Nour should be granted release pending a bond hearing where the government must prove by clear or convincing evidence that it continued detention is necessary.

CLAIMS FOR RELIEF

COUNT ONE

Mr. Nour's Detention Violates the Fifth Amendment Right to Due Process

53. The allegations in the above paragraphs are realleged and incorporated herein.

54. The Due Process Clause of the Fifth Amendment forbids the government from depriving any "person" of liberty without "due process of law," unless such detention is reasonably related to its purpose. *Demore*, 538 U.S. at 523 (2003); *Zadvydas*, 533 U.S. at 690–91 (2001). Moreover, as detention becomes prolonged, the Due Process Clause requires a sufficiently strong justification to outweigh the significant deprivation of liberty, as well as strong procedural protections. *Tindi*, 2018 WL 704314, at *4; *See Zadvydas*, 533 U.S. at 690–91.

55. Mr. Nour is detained pursuant to 8 U.S.C. § 1226(c) and has been detained for almost 17 months. Mr. Nour's prolonged detention lacks sufficient justification and indeed bears no reasonable relation to the government's purpose. Here, Mr. Nour has a strong petition for review in the Eighth Circuit making the prospect of future removal all the more unlikely and unforeseeable. Thus, Mr. Nour's continued mandatory detention serves no justifiable purpose and is unlawful. *See Zadvydas*, 533 U.S. at 690 (explaining that government detention violates the Due Process Clause absent a special justification that outweighs the individual's constitutionally protected interest in avoiding physical restraint).

56. Therefore, application of 8 U.S.C. § 1226(b) or any other statute, including 8 U.S.C. § 1231, to Mr. Nour does and would violate the Due Process Clause of the Fifth Amendment as such detention has become prolonged and indefinite and the legal justification for continuing to detain Mr. Nour has disappeared. He is entitled to release or an immediate bond hearing with the burden on the government and due consideration of his ability to pay.

57. For these reasons, Mr. Nour's detention violates the Due Process Clause of the Fifth Amendment.

COUNT TWO

Mr. Nour's Prolonged Detention Violates the Eighth Amendment

58. The allegations in the above paragraphs are realleged and incorporated herein.

59. The Eighth Amendment prohibits "[e]xcessive bail." U.S. Const. amend. VIII.

60. The government's categorical denial of bail to certain noncitizens violates the right to bail encompassed by the Eighth Amendment. *See Jennings*, 138 S. Ct. at 862 (Breyer, J., dissenting).

61. For these reasons Mr. Nour's prolonged detention without a bond hearing violates the Eighth Amendment.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

1. Assume jurisdiction over this matter;
2. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
3. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
4. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately pending a bond hearing before an immigration judge;
5. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
6. Grant any further relief this Court deems just and proper.

Respectfully submitted,

/s/ Mollie Clark Ahsan

Maria Brekke (MN #399946)

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Counsel for Petitioner

Counsel for Petitioner

Dated: December 3, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Mutasim Ibrahim Abdourahman Nour, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 3rd day of December 2025.

s/Mollie Clark Ahsan

Maria P. Brekke