

**UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF ARIZONA**

**Hamza Oiskhine,**  
Petitioner,

v.

**David Rivas, Warden of the San Luis Detention Center,**

**Gregory J. Archambeault, San Diego Field Office Director, Immigration and Customs Enforcement and  
Removal Operations,**

**Todd Lyons, Acting Director of Immigration and Customs Enforcement,**

**Kristi Noem, Secretary of the Department of Homeland Security,**

**Pamela Bondi, United States Attorney General**

Respondents.

Case No. :

**CV25-04600-PHX-SHD--ASB**

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**MEMORANDUM OF LAW IN SUPPORT OF VERIFIED PETITION FOR WRIT  
OF HABEAS CORPUS**

**I. INTRODUCTION AND JURISDICTION**

Petition filed under 28 U.S.C. § 2241; invoking this Court's jurisdiction under 28 U.S.C. § 1331. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is detained within the District of Arizona at the San Luis Regional Detention Center. Petitioner challenges unlawful custody by ICE officials and detention without probable cause or valid judicial authorization.

**II. FACTUAL BACKGROUND**

1. In August 2025, I filed a civil rights dept complaint against my landlord and property manager reporting that I was being harassed by them due to my immigration status and national origin. **(Exhibit 1 – CRD complaint)**
2. My landlord had filed an eviction notice against me and warned that if I tried to fight it in court, he would call ICE on me.
3. In August 2025, I was granted a U-visa certification due to my anticipated involvement in my case. **(Exhibit 2 – U-Visa Certification)**
4. CRD mailed the certification to my residence on or around August 21st, 2025.
5. My landlord intercepted the U-visa certification in my mailbox and sent it back to CRD.

6. On September 8th, 2025, following an inquiry with the USPS courier, I became aware that the landlord went into my mailbox and stole my mail, lying to the usps courier saying that no one lived in my unit anymore and he had to empty out the mailbox.
7. I contacted the landlord asking him to give me my mail back to which he responded he's not in town and that he would have the property manager get it for me. **(Exhibit 3 – screenshot of conversation with landlord)**
8. On September 9th, 2025, I received several calls and texts from my property manager saying that there was a USPS representative by the mailbox who had the missing mail and asked me to go meet him to retrieve my mail. **(Exhibit 4 – 7 missed calls)**
9. I exited the property while recording with my phone and headed toward the mailbox where I met a bald white male in plain clothing who introduced himself as a USPS agent and had mail in his hand. **(Exhibit 5 – screenshot of property manager telling me to go outside)**
10. As he was doing so I lifted my phone to record the interaction as evidence for the CRD case, and at the same time reached for my mail in his hands. **(Exhibit 6 – Screenshots of arrest video)**
11. He then grabbed me and tried to restrain me, puzzled and terrified I tried to get out of his grip but in vain.
12. Next thing I know I was tackled and arrested without a warrant or probable cause by 2 males and 1 female in tactical gear with their knees to my face on the ground while the plain clothed guy handcuffed me.
13. I was then led to an unmarked vehicle, and before I got in I heard one of the men in tactical gear instructing the plain clothed guy to put the mail back in the mailbox before he got into the car.
14. I was then driven into a building downtown where I was put in a jail cell. After being there for a while I started feeling pain consistent with Crohn's flare up and asked the agent for some pain medication.
15. He then responded saying that they can't administer any meds in this facility and that I would need to go to the hospital. After an hour or so I asked the same agent to take me to the hospital if they couldn't give me any meds.
16. He then responded "hold on we gotta figure out who you are first".
17. After a couple hours I was taken into the hospital under a faulty name and no alien number.
18. After coming back from the hospital, I stayed in the building downtown for another night before getting fingerprinted then served an NTA with a faulty name and a court date for September 22nd.
19. I was transported to Otay Mesa detention center where I stayed until 2 hours before my court date then transported to San Luis regional detention center where I'm currently detained.
20. On October 1st, I was rushed to the hospital because of my Crohn's. I had been experiencing major pain and nausea as well as having bloody stools. I was told by the ER doctor that I needed to see a gastroenterologist immediately and he instructed the medical department in San Luis to take me to one urgently. It's been 49 days and I still haven't gone yet. When asking the medical department why, they say that ICE still hasn't approved my appointment. I continue to struggle

with worsening symptoms without proper medical attention.

**(Exhibit 7- Hospital Discharge Documents)**

21. On October 6th I had my first master hearing where I was advised that the lawyer appointed to me by the board of counsel in Otay Mesa would not be able to represent me because I got transported to Arizona. I asked for continuance in that hearing and my next one because I still can't find a lawyer because of limited resources at the San Luis Detention Center.
22. On October 9th, at a bond hearing, ICE submitted an arrest report that on September 9th, they acted on an anonymous tip that says; an alien who is involved in fraudulent activities would be retrieving mail at 9:30am.
23. The arrest report also stated that I came out of my house to retrieve mail and when seeing 4 ICE agents with tactical gear on I ran away, and that they caught on to me and made the arrest.
24. The report also said that I lied about having cancer to go to the hospital.
25. The report also stated that I had an ID and credit cards in my possession when in fact I only had my phone.
26. The ICE agents lied in their report about how the arrest went down and what I had in my possession and about me saying that I had cancer.
27. On November 10th, I refiled for a bond redetermination with a new sponsor and some new evidence, the immigration judge disregarded all the new submissions and turned it into a reconsideration hearing saying that she does not see any material change, she then denied me bond for the second time.
28. The immigration judge denied me bond based on my inability to prove that I'm not a flight risk. I remain in detention under 1226 (a)

**III. LEGAL CLAIMS**

**Claim One: Violation of the Fourth Amendment and the Administrative Procedure Act — Unlawful Warrantless Arrest and Seizure Without Probable Cause**

**A. Constitutional and Statutory Framework**

The Fourth Amendment to the United States Constitution provides that "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause." This constitutional guarantee applies to all persons within the United States, including noncitizens. (*INS v. Lopez-Mendoza*, 468 U.S. 1032, 1043 (1984)). An arrest is a "seizure" under the Fourth Amendment and must be supported by probable cause or at least reasonable suspicion based on specific, articulable facts. (*Brinegar v. United States*, 338 U.S. 160, 175-76 (1949); *Terry v. Ohio*, 392 U.S. 1, 21 (1968)). Although ICE agents have limited statutory authority to make warrantless arrests, this authority is constrained by 8 U.S.C. § 1357(a)(2), which provides that immigration officers may arrest a person without a warrant only if: the officer has reason to believe that the person "is an alien and is in the United States in violation of any such law or regulation," and the officer has reason to believe that the person "is likely to escape before a warrant can be obtained." This statute must be read consistently with the Fourth Amendment, meaning that ICE cannot make warrantless arrests without individualized probable cause or a reasonable belief of flight risk.

**B. Lack of Probable Cause and Reliance on an Unreliable Anonymous Tip** Petitioner's arrest on September 9, 2025, was based solely on an anonymous tip alleging that "an alien involved in fraudulent activities would be retrieving mail at 9:30 a.m." near Petitioner's residence. The tip did not provide a name, physical description, or any predictive details capable of corroboration. ICE agents did not independently verify the information or observe any unlawful conduct. The Supreme Court in *Florida v.*

J.L., 529 U.S. 266 (2000), squarely rejected the use of such uncorroborated anonymous tips as a basis for stops or arrests. In J.L., an anonymous caller reported that a young man at a bus stop was carrying a gun. The police stopped and frisked the man, discovering a firearm. The Court unanimously held that the stop violated the Fourth Amendment because the tip lacked indicia of reliability—it “provided no predictive information and therefore left the police without means to test the informant’s knowledge or credibility.”

Id. at 271. Applying J.L. here: The tip contained no predictive information that could have been corroborated by ICE agents. The conduct alleged—retrieving mail—was innocent and routine, not inherently suspicious. The agents made no attempt to confirm the tip’s accuracy before executing a physical arrest. Thus, the anonymous tip fails the reliability test under Florida v. J.L. and cannot form the basis for reasonable suspicion or probable cause. ICE’s reliance on such a vague tip renders the arrest constitutionally defective.

**C. Absence of an Individualized Assessment of Flight Risk Under 8 U.S.C. § 1357(a)(2)** Even if ICE agents had reason to believe Petitioner was a removable alien (which they did not), § 1357(a)(2) imposes a second mandatory requirement: the agents must have reason to believe the person is likely to escape before a warrant can be obtained. This requirement ensures that warrantless arrests are limited to exigent circumstances and prevents arbitrary detentions. In *Castañón Nava v. Dep’t of Homeland Sec.*, No.

1:18-cv-03757 (N.D. Ill. 2018), the court invalidated warrantless ICE arrests and entered a settlement agreement that required ICE to broadcast a policy statement nationwide that set out multiple standards on how these arrests should be effected. ICE failed to abide by those standards.

#### **D. THE PARTIES’ SETTLEMENT AGREEMENT**

The parties’ Agreement, in pertinent part, provides as follows: • Broadcast Statement of Policy-Section IV.A (Dckt. #155-1 at 6-7, 18-20) The Agreement included a Broadcast Statement of Policy (“Broadcast”) that was to be issued to ICE officers nationwide and which articulated the standards for how ICE officers are to conduct warrantless arrests in a manner that is consistent with 8 U.S.C. §1357(a)(2).

In particular, the Broadcast provides that:

- (1) officers are required before making a warrantless arrest to have probable cause that the individual is in the United States in violation of U.S. immigration law and that the individual is likely to escape before a warrant can be obtained for the arrest;
- (2) when determining “likelihood of escape,” ICE officers are required to consider the totality of the circumstances, including the officer’s ability to determine the person’s identity; knowledge of that individual’s prior escapes or evasions of immigration authorities; attempted flight from an ICE officer; and the person’s ties to the community (such as a family, home, or employment);
- (3) ICE officers must document the facts and circumstances surrounding a warrantless arrest in the narrative section of the foreign national’s I-213 Form as soon as practicable; and
- (4) the documentation must include: a statement that the foreign national was arrested without a warrant; the location of the arrest and the nature of the location where the arrest took place (e.g., residence, business, etc.); whether the foreign national is connected to the location (e.g., are they an employee of the business or resident of the home); the foreign national’s ties to the community, if known at the time of the arrest; and the specific, particularized facts supporting the conclusion that the foreign national was likely to escape before a warrant could be obtained. (Dckt. #155-1 at 6, 18-19). Notably, the Broadcast requires that “[i]nformation learned post-arrest relevant to custody determination should be documented separately from the information relevant to likelihood of escape known at the time of the warrantless arrest.” (Id. at 19); Here, ICE agents made no individualized assessment whatsoever. They did not know Petitioner’s name, identity, or immigration status at the time of arrest. No evidence suggested that Petitioner posed a flight risk or would attempt to evade a warrant. Accordingly, ICE’s conduct violated both the text of § 1357(a)(2) and the Fourth Amendment’s reasonableness requirement.

#### **E. Use of Deception and Force in Executing the Unlawful Arrest**

ICE agents posed as a USPS representative to lure Petitioner out of his residence. Once Petitioner appeared, the agents physically restrained and tackled him, placing him in handcuffs without identification, warrant, or explanation. This conduct was not only unreasonable under the Fourth Amendment but also compounded the constitutional violation by employing deceptive and coercive

tactics to accomplish an otherwise unlawful arrest. Courts have long recognized that government deception and coercion can render a seizure unreasonable. (*United States v. Brignoni-Ponce*, 422 U.S. 873, 884 (1975); *United States v. Russell*, 411 U.S. 423, 431–32 (1973)).

#### F. Conclusion

Petitioner's arrest violated the Fourth Amendment and 8 U.S.C. § 1357(a)(2) because: ICE agents acted without a warrant, probable cause, or reasonable suspicion; The anonymous tip they relied upon was vague, uncorroborated, and failed the reliability test of *Florida v. J.L.*; Agents failed to make an individualized assessment that Petitioner was likely to escape before obtaining a warrant, as required by statute and reaffirmed in *Castañon Nava v. Dep't of Homeland Sec.*; and Agents used deception and physical force to effectuate the arrest, further rendering the seizure unreasonable under the Fourth Amendment. Accordingly, Petitioner's arrest and resulting detention are unconstitutional, and his continued custody constitutes an ongoing violation of the Fourth Amendment.

### Claim Two: Violation of the Fifth Amendment — Unlawful Detention and Denial of Due Process Under 8 U.S.C. § 1226(a)

#### A. Legal Framework

The Fifth Amendment guarantees that no person shall “be deprived of life, liberty, or property, without due process of law.” This protection applies to all persons within the United States, including noncitizens in immigration proceedings. (*Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)). Congress codified the procedural and substantive due process requirements governing immigration detention in 8 U.S.C. § 1226(a), which provides: “On a warrant issued by the Attorney General, a [noncitizen] may be arrested and detained pending a decision on whether the alien is to be removed from the United States.” Warrantless arrests are permitted under certain conditions pursuant to 8 U.S.C. § 1357(a)(2), but must comply with its requirements for probable cause and flight risk assessment. Additionally, prior to detention pursuant to § 1226(a), immigration officers must allow a noncitizen to “demonstrate to the satisfaction of the officer that . . . release would not pose a danger to property or persons, and that the [noncitizen] is likely to appear for any future proceeding.” 8 C.F.R. § 1236.1(c)(8). See also *Lopez Benitez v. Francis*, No. 1:2025cv05937, 2025 WL 2371588, at \*10 (S.D.N.Y. Aug. 13, 2025) (“Reading § 1226(a) as requiring an initial detention decision by DHS is the only way to make sense of the broader statutory and regulatory scheme, which provides for an opportunity to appeal a detention decision to an immigration judge who then conducts their own assessment of the noncitizens' flight risk and dangerousness, among other factors.”)

#### B. ICE Arrested and Detained Petitioner Without a Warrant Issued by the Attorney General

Petitioner was arrested and detained by ICE agents without a warrant issued by or on behalf of the Attorney General. There is no evidence in the record that such a warrant ever existed, nor that ICE agents were acting under any judicial or administrative authorization at the time of arrest. Recent court decisions have held that detention under § 1226(a) requires an arrest warrant signed by the Attorney General or his designee, and that failure to produce such a warrant renders the detention unlawful. In *Chogillo Chafila v. Scott*, No. 2:25-cv-00437-SDN, 2025 WL 2688541 (D. Me. Sept. 21, 2025), the court held: “As discussed herein, detention under section 1225(b)(2) was improper. Thus, this Court is not so convinced the warrantless nature of the arrests is irrelevant, at least not when it comes to continued detention. Issuance of a warrant is a necessary condition to justify discretionary detention under section 1226(a). Section 1226(a) plainly states: “On a warrant issued by the Attorney General, a [noncitizen] may be arrested and detained . . .” 8 U.S.C. § 1226(a) (emphasis added). As such, it follows that absent a warrant a noncitizen may not be arrested and detained under section 1226(a). To put it simply, Petitioners' detentions are improper because there is no evidence in the record that they were arrested pursuant to a warrant. Since the Government did not comply with the plain language of section 1226(a), their immediate release is justified. See *Hamdi*, 542 U.S. at 529 (“[L]iberty is the norm . . .”). Similarly, in *Chiliquinga Yumbillo v. Stamper*, No. 2:25-cv-00479-SDN, 2025 WL 2688160 (D. Me. Sept. 26, 2025), the court invalidated

detention without a warrant under § 1226(a), citing the plain language of the statute and emphasizing that warrantless arrests do not suffice for continued discretionary detention. In *Astudillo v. Hyde*, No. 1:25-cv-00551-JJM (D.R.I. Oct. 30, 2025), the court reaffirmed that § 1226(a) “plainly requires a warrant for arrest and detention,” and that ICE cannot rely on discretionary detention authority in the absence of a properly issued warrant. Because the statutory text expressly begins with “On a warrant issued by the Attorney General,” a warrant is not optional or procedural — it is a jurisdictional prerequisite. ICE’s failure to obtain such a warrant deprived the agency of lawful authority to arrest or detain Petitioner, rendering his custody *ultra vires* and in violation of both § 1226(a) and the Fifth Amendment’s due process clause.

**C. ICE Arrested and Detained Petitioner Without Meeting Statutory Requirements for Warrantless Arrest**

Even assuming *arguendo* that warrantless arrests could authorize detention under § 1226(a) in some circumstances, ICE agents failed to satisfy the requirements of § 1357(a)(2), including probable cause that Petitioner was in violation of immigration laws and a reasonable belief that he was likely to escape before a warrant could be obtained. As detailed in Claim One, there is no evidence in the record that ICE agents complied with these statutory prerequisites at the time of arrest. The above-cited decisions in *Choglo*

*Chafla*, *Chiliquinga Yumbillo*, and *Astudillo* further support that, absent compliance with warrant requirements or strict statutory conditions for warrantless action, detention is unlawful.

**D. ICE Denied Petitioner the Statutory Right to an Initial Custody Determination Section 1226(a)** also affords detained noncitizens a prompt initial custody determination by an immigration officer after arrest. This determination serves as a due process safeguard, ensuring that individuals may demonstrate that they do not pose a danger to the community or a risk of flight before continued detention is imposed.

Courts have consistently held that ICE must conduct this initial review. In *Contreras Maldonado v. Cabezas*, No. 2:2025cv13004 (D.N.J. 2025), the court found that the petitioner’s due process rights were violated because she was detained without an initial individualized determination by an ICE officer under 1226(a) and its implementing regulation. Later citing that the government’s failure to provide the initial bond assessment required under § 1226(a) “constitutes an unlawful deprivation of liberty without due process of law.” Here, after Petitioner’s arrest, no initial custody or release determination was made by any ICE officer. Petitioner was detained immediately and indefinitely without an opportunity to present evidence demonstrating eligibility for release or bond. This failure deprived Petitioner of the procedural protections mandated by § 1226(a) and violated the Fifth Amendment’s procedural due process guarantee.

**E. Submission of False Evidence Violated Substantive Due Process During Petitioner’s bond hearing,**

ICE agents submitted a false arrest report, alleging that Petitioner “ran away upon seeing ICE agents in tactical gear,” thereby portraying him as a flight risk. This assertion was false — Petitioner was tackled and restrained without attempting to flee. The fabrication of evidence to justify detention or deny bond is a violation of fundamental fairness under the Fifth Amendment. The Supreme Court has long held that government use of false or fabricated evidence violates due process. In *Mooney v. Holohan*, 294 U.S. 103

(1935), the Court ruled that the deliberate presentation of false testimony by the government “is as inconsistent with the rudimentary demands of justice as is the obtaining of a conviction by intimidation.” This principle was reaffirmed in *Pyle v. Kansas*, 317 U.S. 213 (1942), and *Napue v. Illinois*, 360 U.S. 264

(1959). By submitting false factual assertions about Petitioner’s conduct to influence the immigration judge’s bond decision, ICE deprived Petitioner of a fair proceeding and violated substantive due process. Such conduct “shocks the conscience” and constitutes an abuse of governmental power proscribed by the Fifth Amendment. (*County of Sacramento v. Lewis*, 523 U.S. 833, 846–47 (1998)).

**F. Conclusion**

Petitioner’s detention violates the Fifth Amendment’s Due Process Clause because: ICE arrested and detained Petitioner without a warrant issued by or on behalf of the Attorney General, contrary to 8 U.S.C. § 1226(a) and as held in *Choglo Chafla v. Scott*, *Chiliquinga Yumbillo v. Stamper*, and *Astudillo v. Hyde*; ICE failed to meet the requirements for a warrantless arrest under 8 U.S.C. § 1357(a)(2); ICE failed to conduct the initial custody and release determination required by § 1226(a); and ICE agents falsified

evidence and submitted false statements to portray Petitioner as a flight risk, violating the substantive due process principles recognized in *Mooney, Pyle, and Napue*.

### **Claim Three: Violation of The Administrative Procedure Act (APA) Claim**

In Mr. Oiskhine's case, the APA claim asserts that the decision by the ICE agents to arrest and detain him was arbitrary, capricious, an abuse of discretion, and not in accordance with law.

The specific actions that form the basis of this claim are:

#### **1. Reliance on an Uncorroborated Anonymous Tip:**

The decision to target and arrest Mr. Oiskhine was based on a vague and unverified anonymous tip. A reasonable agency decision-making process requires some level of verification or corroboration before taking such a drastic action as a warrantless arrest. Acting on a bare, unsubstantiated tip is the very definition of arbitrary action, as it lacks a rational connection between the information received and the decision made.

#### **2. Failure to Follow Statutory Requirements:**

The ICE agents failed to comply with the clear requirements of 8 U.S.C. § 1357(a)(2), which mandates that a warrantless arrest can only be made if there is reason to believe the person is an alien in violation of immigration law and is likely to escape before a warrant can be obtained. The agents had no information to suggest Mr. Oiskhine was a flight risk. By ignoring this statutory requirement, their action was "not in accordance with law."

#### **3. Fabrication of Evidence:**

The alleged falsification of the arrest report to include claims that Mr. Oiskhine ran from agents is a clear example of arbitrary and capricious action. It demonstrates that the agency's decision-making process was not based on facts, but on a predetermined outcome. In summary, the APA claim argues that the ICE agents did not act like a rational and law-abiding agency. Instead, they acted on a whim, ignored clear legal requirements, and then tried to cover their tracks by falsifying evidence. The remedy sought under the APA would be for the court to "set aside" the unlawful agency action, which in this case would mean declaring the arrest and detention unlawful and ordering Mr. Oiskhine's release.

### **Claim Four: Violation of the Accardi Doctrine — ICE's Failure to Conduct the Initial Custody Determination Required by 8 C.F.R. § 1236.1 Renders Petitioner's Detention Unlawful**

Under the *Accardi doctrine*, an agency must follow its own binding regulations, and failure to do so in a way that affects individual rights renders the resulting action unlawful. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954). Where a regulation is designed to protect a liberty interest, noncompliance violates due process and invalidates the agency's action.

Here, 8 U.S.C. § 1226(a) and its implementing regulation, 8 C.F.R. § 1236.1(c)(8), creates a mandatory framework for the **initial custody determination** of noncitizens arrested under § 1226(a). Before a noncitizen is detained pending removal proceedings, an immigration officer **must** make an individualized decision whether to release the person on recognizance, on bond, or to continue detention, after allowing the person to "demonstrate to the satisfaction of the officer that . . . release would not pose a danger to property or persons, and that the [noncitizen] is likely to appear for any future proceeding." 8 C.F.R. § 1236.1(c)(8). Only **after** that initial custody decision by DHS does the statute and regulation provide for a **bond redetermination** before an immigration judge.

Recent decisions have recognized that this initial custody determination is not optional, but a core procedural protection. In *Lopez Benitez v. Francis*, No. 1:2025-cv-05937, 2025 WL 2371588, at \*10 (S.D.N.Y. Aug. 13, 2025), the court held that reading § 1226(a) as **requiring an initial detention**

**decision by DHS** is “the only way to make sense of the broader statutory and regulatory scheme,” which presupposes a prior DHS custody decision that can then be reviewed by an immigration judge. Likewise, in **Contreras Maldonado v. Cabezas**, No. 2:2025-cv-13004 (D.N.J. 2025), the court found that detaining a noncitizen without the initial individualized determination required by § 1226(a) and its regulations constituted an “unlawful deprivation of liberty without due process of law.”

In Petitioner’s case, **ICE never conducted the required initial custody determination** under 8 C.F.R. § 1236.1(c)(8). After his unlawful arrest, Petitioner was simply placed into detention and transported between facilities until he appeared before an immigration judge. At no point did an immigration officer provide Petitioner a meaningful opportunity to present evidence that he was not a danger or flight risk, nor did any officer issue a reasoned custody decision as the regulation demands.

The subsequent bond hearings before the immigration judge do **not** cure this defect. By regulation and by the structure recognized in **Lopez Benitez** and **Contreras Maldonado**, immigration judge bond hearings are meant to be **redeterminations** of an existing custody decision by DHS, not substitutes for an initial decision that was never made. Where DHS fails to perform the mandatory initial custody determination, there is no lawful baseline decision for the IJ to review, and the entire detention framework is built on a regulatory violation.

Because 8 C.F.R. § 1236.1(c)(8) safeguards a fundamental **liberty interest**—freedom from physical confinement—ICE’s failure to follow this binding regulation violates the **Accardi doctrine** and **due process**. Petitioner’s continued detention under § 1226(a), in the absence of the required initial custody determination, is therefore **ultra vires and unlawful**, and his immediate release is required.

#### **IV. RELIEF REQUESTED**

Petitioner respectfully requests that this Court: Issue a Writ of Habeas Corpus ordering his immediate release from custody.

#### **V. VERIFICATION**

I, Hamza Oiskhine, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge. Executed on this 19th day of November 2025, at San Luis Regional Detention Center, San Luis, Arizona.

/s/ Hamza Oiskhine  
c/o San Luis Regional Detention Center  
2000 W. County 16th Street  
San Luis, AZ 85349

11/24/2025