

1
2
3
4
5
6
7
8
9
10
11

JURISDICTION

2. This action arises under the Constitution of the United States; the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101, *et seq*; and the Administrative Procedures Act (“APA”), 5 U.S.C. § 500, *et seq*.

3. This court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus; 28 U.S.C. § 1331 (federal question); 28 U.S.C. § 1651 (All Writs Act); 5 U.S.C. § 701 *et seq*. (APA); and 28 U.S.C. §§ 2201-2202 (Declaratory Judgment Act).

4. The court may grant relief under the habeas corpus statutes, the Declaratory Judgment Act, and the All-Writs Act, 28 U.S.C. § 1651.

12
13
14
15
16
17

VENUE

5. Venue is proper because Petitioner is detained at the Otay Mesa Detention Facility, in San Diego, California, which is within the jurisdiction of this District.

6. Venue is also proper in this judicial district pursuant to 28 USC §1391(e) because at least one federal respondent is in this District; and a substantial part of the events or omissions giving rise to the claims in this action took place in this District. No real property is involved.

18
19
20
21
22

REQUIREMENTS OF 28 U.S.C. § 2243

7. The Court must grant the habeas corpus petition 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*.

8. 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).

1 **PARTIES**

2 9. Petitioner OZGUR DOGUKAN TEK BAS (“Petitioner”) is a 27-year-old citizen of
3 Turkey. He is detained by respondents at the Otay Mesa Detention Center.

4 10. Respondent CHRISTOPHER J. LaROSE is sued in his official capacity as the Senior
5 Warden of the (Otay Mesa Detention Center). Defendant LaRose has custody of petitioner.

6 11. Respondent PAMELA BONDI is being sued in her official capacity as the Attorney
7 General of the United States. She is the official generally charged with supervisory authority over
8 all operations of the Department of Justice. In this capacity, she is responsible for the administration
9 of the immigration laws pursuant to 8 U.S.C. § 1103 and oversees the Executive Office for
10 Immigration Review (“EOIR”), a component of the DOJ, which includes the immigration courts
11 and the Board of Immigration Appeals (“BIA” or “Board”). She is empowered to oversee the
12 adjudication of removal and bond hearings and by regulation has delegated that power to the
13 nation’s Immigration Judges and the BIA.

14 12. Respondent KRISTI NOEM is being sued in her official capacity as the Secretary of
15 the United States Department of Homeland Security. She is the executive officer who has been
16 given authority to manage and control U.S. Immigration and Customs Enforcement (“ICE”). As
17 such, she is the ultimate legal custodian of petitioner.

18 13. Respondent PATRICK DIVVER is being sued in his official capacity as the Field
19 Office Director for the San Diego Field Office of Immigration and Customs Enforcement (ICE), a
20 component of DHS with responsibility over persons in immigration custody at the Otay Mesa
21 Detention Center. Director Divver has custody of petitioner.

22
23 **LEGAL FRAMEWORK**

24 14. This petition presents the legal question of whether an alien released on his own
25 recognizance and placed in a full removal proceeding is detained under 8 U.S.C. § 1226 or is
26 instead subject to the detention rules relating to expedited removal under 8 U.S.C. § 1225. Petitioner
27 contends he is subject to detention per the § 1226 rules while the DHS argues the § 1225 rules
28 apply.

1 15. As a threshold matter, the United States Supreme Court has re-affirmed that aliens
2 are entitled to due process of law in deportation proceedings and must be given notice and an
3 opportunity to be heard commensurate with the nature of the case. *Trump v. J. G. G.*, 604 U.S. ___,
4 145 S. Ct. 1003, 1006 (2025).

5 16. The “usual removal process” involves an evidentiary hearing before an immigration
6 judge. *Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 108 (2020). Proceedings are
7 initiated under 8 U.S.C. § 1229(a), also known as “full removal,” by filing a Notice to Appear with
8 the Immigration Court. *Matter of E-R-M- & L-R-M-*, 25 I. & N. Dec. 520, 520 (BIA 2011). Section
9 § 1226 provides that while removal proceedings are pending, a noncitizen “may be arrested and
10 detained” and that the government “may release the alien on ... conditional parole.” § 1226(a)(2);
11 accord *Thuraissigiam*, 591 U.S. at 108 (during removal proceedings, applicant may either be
12 “detained” or “allowed to reside in this country”).

13 17. When a person is apprehended under § 1226(a), an ICE officer makes the initial
14 custody determination. *Diaz v. Garland*, 53 F.4th 1189, 1196 (9th Cir. 2022) (citing 8 C.F.R. §
15 236.1(c)(8)). A noncitizen will be released if he or she “demonstrate[s] to the satisfaction of the
16 officer that such release would not pose a danger to property or persons, and that the alien is likely
17 to appear for any future proceeding.” *Id.* (citing 8 C.F.R. § 236.1(c)(8)). “Federal regulations
18 provide that aliens detained under § 1226(a) receive bond hearings at the outset of detention.”
19 *Jennings v. Rodriguez*, 583 U.S. 281, 306 (2018) (citing 8 CFR §§ 236.1(d)(1)). If, at this hearing,
20 the detainee demonstrates by the preponderance of the evidence that he or she is not “a threat to
21 national security, a danger to the community at large, likely to abscond, or otherwise a poor bail
22 risk,” the IJ will order his or her release. *Diaz*, 53 F.4th at 1197 (citing *Matter of Guerra*, 24 I. & N.
23 Dec. 37, 40 (B.I.A. 2006)).

24 18. Once released, the noncitizen’s bond is subject to revocation. Under 8 U.S.C. §
25 1226(b), “the DHS has authority to revoke a noncitizen’s bond or parole ‘at any time,’ even if that
26 individual has previously been released.” *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 968 (N.D. Cal.
27 2019). However, if an immigration judge has determined the noncitizen should be released, the
28 DHS may not re-arrest that noncitizen absent a change in circumstance. See *Panosyan v. Mayorkas*,

1 854 F. App'x 787, 788 (9th Cir. 2021) Where the release decision was made by a DHS officer, not
2 an immigration judge, the Government's practice has been to require a showing of changed
3 circumstances before re-arrest. *See Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal.
4 2017).

5 19. While "§ 1226 applies to *aliens already present in the United States*," U.S.
6 immigration law also "authorizes the Government to detain certain *aliens seeking admission into the*
7 *country* under §§ 1225(b)(1) and (b)(2)," a process that provides for expedited removal. *Jennings*,
8 583 U.S. at 303 (2018)(emphasis added). Under § 1225, a noncitizen "who has not been admitted or
9 who arrives in the United States" is considered "an applicant for admission." 8 U.S.C. § 1225(a)(1).
10 For certain applicants for admission, 8 U.S.C. § 1225 authorizes "expedited removal." § 1225(b)(1).

11 20. Respondents' central argument is that petitioner is subject to mandatory detention
12 pending removal proceedings under 8 U.S.C. § 1225(a)(1), 1225(b)(2)(A). Respondents rely on the
13 BIA's recent decision in *Yajure Hurtado*, 29 I & N Dec. 216 (BIA 2025), affirming the
14 government's new interpretation of § 1225.

15 21. As a threshold matter, the BIA decision *Yajure Hurtado* is entitled to little or no
16 deference by the District Court. *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 400 (2024)
17 (observing that while "agencies have no special competence in resolving statutory ambiguities,"
18 "[c]ourts do").

19 22. Multiple District Courts across the entire United States have recently concluded that
20 the government's proposed interpretation of the statute (a) disregards the plain meaning of section
21 1225(b)(2)(A); (b) disregards the relationship between sections 1225 and 1226; (c) would render a
22 recent amendment to section 1226(c) superfluous; and (d) is inconsistent with decades of prior
23 statutory interpretation and practice. The following quote is a representative example:

24 "The Court follows other decisions in this Circuit finding that "seeking admission
25 requires an affirmative act such as entering the United States or applying for status,
26 and that it does not apply to individuals who, like [Petitioner], have been residing in
27 the United States and did not apply for admission or a change of status." *Mosqueda*
28 *v. Noem*, No. 25-CV-2304 CAS (BFM), 2025 WL 2591530, at *5 (C.D. Cal. Sept. 8,

1 2025); *see, e.g., Vazquez v. Feeley*, No. 2:25-CV-01542-RFB-EJY, 2025 WL
2 2676082, at *11–16 (D. Nev. Sept. 17, 2025); *Rodriguez*, 2025 WL 2782499, at *1
3 (“Every district court to address this question has concluded that the government’s
4 position belies the statutory text of the INA, canons of statutory interpretation,
5 legislative history, and longstanding agency practice.”); *Guzman v. Andrews*, No. 25-
6 CV-1015-KES-SKO (HC), 2025 WL 2617256, at *4–5 (E.D. Cal. Sept. 9, 2025)
7 (finding that petitioner who was released on bond and rearrested was entitled to a
8 bond hearing under § 1226); *Garcia*, 2025 WL 2549431, at *8 (providing petitioner
9 with an individualized bond hearing under § 1226(a)); *Valdovinos v. Noem*, No. 25-
10 CV-2439 TWR (KSC), slip op. at 9 (S.D. Cal. Sept. 25, 2025) (same).” *Esquivel-*
11 *Pina v. LaRose*, No. 25-CV-2672, 2025 WL 2998361 at 8 (S.D. Cal. Oct. 24, 2025).

12 23. District Courts have found, once immigration authorities “elect to proceed with full
13 removal proceedings under § 1226, [they] cannot [] reverse course and institute § 1225 expedited
14 removal proceedings.” *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263, at *4
15 (N.D. Cal. Aug. 21, 2025).

16 24. Moreover, given the time spent at liberty following an initial release from detention
17 upon a determination that petitioner was not a flight risk or danger, as well as the government’s
18 implicit promise that any custody redetermination would be based on those same criteria, petitioner
19 has a protected “interest in remaining at liberty unless [he] no longer meets those criteria.” *Espinoza*
20 *v. Kaiser*, No. 1:25-CV-01101 JLT SKO, 2025 WL 2581185, at *13 (E.D. Cal. Sept. 5, 2025)
21 (quoting *Pinchi v. Noem*, No. 5:25-CV-05632-PCP, 2025 WL 2084921, at *4 (N.D. Cal. July 24,
22 2025).

23 **FACTUAL ALLEGATIONS**

24 25. Petitioner has lived in the United States since November 6, 2023. He turned herself
25 in to United States border officials. He was fleeing persecution and threats in Turkey of his religious
26 beliefs and nationality. The DHS detained respondent and was released from detention.

27 26. On or about November 6, 2023, the DHS filed a Notice to Appear (NTA), then
28 released petitioner on his own recognizance pending his removal hearing.

1 27. The NTA charges Petitioner with removability under 212(a)(6)(A)(i) of the INA, as
2 an alien present in the USA without being admitted or paroled. Petitioner conceded removability.

3 28. Petitioner filed an asylum application after being released.

4 29. On October 26, 2025, petitioner accidentally drove onto a military base. Upon doing
5 so, he was detained by the military and referred to ICE. ICE then detained petitioner and denied
6 releasing him from his detention. The DHS then detained petitioner without any hearing,
7 explanation, or change in circumstances and sent him to the Otay Mesa immigration jail, where he
8 remains today.

9 30. The immigration proceedings are still being conducted in his case.

10 31. Petitioner filed a motion for custody redetermination seeking a bond allowing
11 released from the immigration jail. Petitioner anticipate that the immigration judge will deny the
12 bond request, concluding there is no jurisdiction to redetermine bond per *Matter of Yajure Hurtado*.

13
14 **CAUSES OF ACTION**

15 **COUNT 1**

16 (Violation of the Immigration and Nationality Act)

17 32. Petitioner incorporates by reference the allegations set forth in paragraphs 1 to 32.

18 33. The DHS detains petitioner pursuant to 8 U.S.C. § 1226, not 8 U.S.C. § 1225;
19 therefore he is entitled to a bond redetermination hearing before an immigration judge.

20 34. Petitioner's continued detention under Section 1226(a) in the absence of a bond
21 hearing violates the INA.

22 **COUNT 2**

23 (Violation of the Administrative Procedure Act))

24 35. Petitioner incorporates by reference the allegations set forth in paragraphs 1 to 34.

25 36. Section 706 of 5 U.S.C. provides that a reviewing court shall compel agency action
26 unlawfully withheld and hold unlawful and set aside agency action not in accordance with law. 5
27 U.S.C. § 706(1)-(2).

28 37. Petitioner has a statutory and due process right to have an Immigration Judge

1 conduct a bond hearing pursuant to 8 U.S.C. § 1226.

2 38. Moreover, the respondents' arbitrary re-detention of petitioner—and others—without
3 explanation or a change in circumstances is unlawful and smacks of malice.

4 39. Defendants' refusal to provide a bond hearing to petitioner harms him and
5 constitutes final agency action for purposes of the APA.

6 40. There are no other adequate available remedies.

7 41. Respondents' actions constitute an unlawful withholding of an agency action and
8 unlawful agency action in violation of the APA.

9 **COUNT 3**

10 (Violation of the Due Process Clause)

11 42. Petitioner incorporates by reference the allegations set forth in paragraphs 1 to 41.

12 43. In November 2023, the DHS detained petitioner for a removal proceeding but then
13 released him upon his own recognizance (OR), conceding that he was neither a flight risk nor a
14 danger to the community.

15 44. The re-detention of petitioner after his OR release without any explanation or change
16 in circumstances violates Ninth Circuit case law and the Due Process Clause of the Fifth
17 Amendment to the United States Constitution

18
19 **PRAYER FOR RELIEF**

20 WHEREFORE, Petitioner respectfully requests this Court to grant the following:

21 (1) Assume jurisdiction over this matter;

22 (2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition
23 should not be granted within three days;

24 (3) Declare that Petitioner's detention violates the Due Process Clause of the Fifth
25 Amendment, the INA, and the APA;

26 (4) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately or
27 schedule a bond hearing on the merits before an immigration judge;

28

1 (5) Issue an order prohibiting respondents from continuing to detain petitioner on the basis
2 that he is subject to mandatory detention pursuant to 8 U.S.C. § 1225(b)(2);

3 (6) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (28
4 U.S.C. § 2412), and any other applicable statute or regulation; and

5 (7) Grant any further relief this Court deems just and proper.

6

7 DATED: 10 December 2025

8

Respectfully submitted,

9

/s/ William Baker

10

11

William Baker (157 906)
MORENO & ASSOCIATES
2082 Otay Lakes Road, Suites 102
Chula Vista, California 91913
Telephone: (619) 422-4885
william.baker@morenoandassociates
Attorney for petitioner

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury under the laws of the United States that I am the petitioner; I have read the petition or had it read to me in a language I understand, and the information in the petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

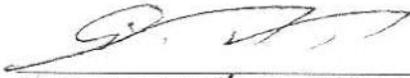

OZGUR DOGUKAN TEKBAS
Petitioner

EXHIBIT A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED] FINS [REDACTED]
DOB: 05/20/1998

File No. [REDACTED]
Event No. [REDACTED]
currently residing at:

In the Matter of:
Respondent: OZGUR DOGUKAN TEKBAS

[REDACTED]
(Number, street, city, state and ZIP code)

[REDACTED]
(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of TURKEY and a citizen of TURKEY ;
3. You arrived in the United States at or near TECATE, CA , on or about November 8, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

26 FEDERAL PLZ, 12TH FL RM1237 NEW YORK NY 10278

(Complete Address of Immigration Court, including Room Number, if any)

on August 06, 2024 at 09:00 AM to show why you should not be removed from the United States based on the

charge(s) set forth above. (A) WATCH COMMANDER

MANUEL TINOCO B
Date: 2023.11.09 08:48 -08:00
0007988590 CBP

(Signature and Title of Issuing Officer)

Date: November 09, 2023

SAN Diego, California
(City and State)

EOIR - 1 of 3

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on November 09, 2023, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the TURKISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served)

JOSE E. JOVE, BORDER PATROL
AGENT

JOSE E JOVE
Date: 2023.11.09 14:00:14 -08:00
0272652803 CBP

(Signature and Title of officer)

EOIR - 2 of 3

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notice-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

EXHIBIT B

U.S. Department of Homeland Security

Order of Release on Recognizance

File No: ~~XXXXXXXXXX~~
Date: November 09, 2023
Event No: ~~XXXXXXXXXX~~

Name: OZGUR DOGUKAN TEKBAS

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.

You must surrender for removal from the United States if so ordered.

You must report in (writing) (person) to _____
(Name and Title of Case Officer)
at As indicated on the attached OREC G-56 on _____ at _____
(Location of DHS Office) (Day of each week or month) (Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

You must not change your place of residence without first securing written permission from the immigration officer listed above.

You must not violate any local, State, or Federal laws or ordinances.

You must assist the Department of Homeland Security in obtaining any necessary travel documents.

Other: _____

See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.

MANUEL TINOCO JR
Date: 2023 11 09 06:47:57-08:00
0007988590 CBP

(Signature of DHS Official)

(A) WATCH COMMANDER

(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the TURKISH language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

JOSE E. JOVE
Date: 2023.11.09 11:01:27-08:00
0272652803 CBP
(Signature of Immigration Officer Serving Order)

[Signature]
(Signature of Alien)

11/09/2023
(Date)

Cancellation of Order

I hereby cancel this order of release because: The alien failed to comply with the conditions of release.
 The alien was taken into custody for removal.

(Signature of Immigration Officer Canceling Order)

(Date)