

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-25814-CIV-GAYLES

ANZOR MATSEV, Petitioner, v. KROME SERVICE PROCESSING CENTER, WARDEN, et al.,
Respondents.

AMENDED PETITION FOR WRIT OF HABEAS CORPUS (28 U.S.C. § 2241)

I. JURISDICTION This Court has jurisdiction pursuant to 28 U.S.C. § 2241 and 28 U.S.C. § 1331. Petitioner challenges the legality of his continued civil immigration detention by U.S. Immigration and Customs Enforcement (ICE).

II. CUSTODY STATUS Petitioner, Anzor Matsev, is currently detained by ICE. He was detained on October 10, 2025, initially held at the facility known as 'Alcatraz,' and subsequently transferred to Krome Service Processing Center approximately two weeks later, where he remains in custody.

III. PROCEDURAL HISTORY Petitioner is subject to a final order of removal dated December 21, 2017. Since that time, Petitioner has remained in the United States. On November 7, 2025, all required information and documentation for issuance of travel documents was provided for ICE to transmit to the Russian Consulate in Washington, D.C. for the purpose of obtaining travel documentation necessary for removal.

A new Deportation Enforcement Officer (DEO) was assigned to Petitioner's case on December 12, 2025. Since that date, the DEO has been contacted via email on at least six occasions with no response whatsoever. No meaningful communication, timeline, or progress updates regarding Petitioner's removal have been provided.

IV. GROUNDS FOR RELIEF

GROUND ONE – UNLAWFUL PROLONGED DETENTION (*Zadvydas v. Davis*, 533 U.S. 678 (2001))
Petitioner is subject to a final order of removal and has been detained beyond the presumptively reasonable period recognized in *Zadvydas v. Davis*. There is no significant likelihood of removal in the reasonably foreseeable future. Despite submission of all required documentation on November 7, 2025, ICE has failed to obtain travel documents, failed to transmit confirmed requests to the Russian Consulate, and failed to provide any timeline for removal. ICE's inaction demonstrates that Petitioner's detention is no longer reasonably related to the purpose of removal and has become punitive, arbitrary, and unconstitutional.

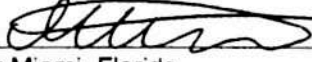

GROUND TWO – DUE PROCESS VIOLATION Petitioner has been denied substantive and procedural due process. He has received no meaningful custody review, no status updates, no timeline for removal, and no explanation for continued detention. ICE's failure to respond to communications and failure to process removal documentation constitutes a violation of fundamental due process protections.

V. HARDSHIP FACTS Petitioner is the sole financial provider for his family. His continued detention has caused severe hardship to his spouse and children, who are suffering financially, emotionally, and developmentally due to his prolonged absence and inability to support them. This hardship is ongoing, severe, and directly caused by his continued detention.

VI. RELIEF REQUESTED Petitioner respectfully requests that this Court: 1. Order immediate release under supervision; 2. In the alternative, order an individualized bond hearing; 3. Order ICE to provide a removal timeline and travel document status; 4. Exercise supervisory authority over ICE's detention process; 5. Grant any other relief the Court deems just and proper; 6. Vacate or cancel the existing order of removal as legally and constitutionally defective due to unlawful prolonged detention and due process violations.

VII. DECLARATION UNDER PENALTY OF PERJURY I, Anzor Matsev, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on: 1.27.2026

Signature:  Anzor Matsev A  Krome Service Processing Center Miami, Florida

CERTIFICATE OF SERVICE I certify that a true and correct copy of this Amended Petition for Writ of Habeas Corpus was served on the U.S. Attorney and ICE Office of the Principal Legal Advisor by U.S. mail or electronic service.

Date: 1.27.2026 Signature:  Anzor Matsev

EXHIBIT INDEX (FINAL)

Exhibit A – Notice to Appear (NTA)

Exhibit B – Final Order of Removal (12/21/2017)

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Exhibit I – ICE Non-Response Documentation

EXHIBIT A

Exhibit A – Notice to Appear (NTA)

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

File No: [Redacted]

In the Matter of:

Respondent: MATSEV, ANZOR ASLANOVICH currently residing at:

[Redacted] (Number, street, city, state and ZIP code) [Redacted] (Area code and phone number)

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

The Service alleges that:

- 1) You are not a citizen or national of the United States.
- 2) You are a native of RUSSIA and a citizen of RUSSIA;
- 3) You were admitted to the United States at NEW YORK, NY (1A) on or about May 31, 2007 as a nonimmigrant J-1 with authorization to remain in the United States for a temporary period not to exceed September 29, 2007 ;
- 4) You remained in the United States beyond September 29, 2007 without authorization.

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:

Section 237 (a) (1) (B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a) (15) of the Act, you have remained in the United States for a time longer than permitted.

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: 8 CFR 208.30(f)(2) 8 CFR 235.3(b)(5)(iv)

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

1600 CALLOWHILL ST., ROOM 400, PHILADELPHIA, PA 19130-0000

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

on September 28, 2011 at 8:30 AM to show why you should not be removed from the United States based on the charge(s) set forth above.

[Handwritten Signature] (Signature and Title of Issuing Officer)

Date: AUG 15 2010

LYNDHURST, NJ (City and State)

See reverse for important information

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 under 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 3.16. 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 provided with this Notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. 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 and that you are inadmissible or deportable on the charges contained in the Notice to Appear. 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 departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court 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 INS.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to have a 10-day period prior to appearing before an immigration judge.

Before: _____ (Signature of Respondent)

(Signature and Title of INS Officer) Date: _____

Certificate of Service

This Notice To Appear was served on the respondent by me on August 20, 2019 in the following manner and in compliance with section 239(a)(1)(F) of the Act: (Date)

in person by certified mail, return receipt requested by regular mail

Attached is a credible fear worksheet.

Attached is a list of organizations and attorneys which provide free legal services.

The alien was provided oral notice in the _____ 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) [Signature]
(Signature and Title of Officer)

EXHIBIT B

Exhibit B – Final Order of Removal (12/21/2017)

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
333 SOUTH MIAMI AVE., STE.700
MIAMI, FL 33130

Bennett Grossman, P.A.
Grossman, Bennett Lloyd
1919 NE 45th Street, Suite 212
Fort Lauderdale, FL 33308

DATE: Nov 21, 2017

IN THE MATTER OF
LINYUSHINA, ELEONORA ALEKSEYEVNA FILE A [REDACTED]
MATSEV, ANZOR ASIANOVICH FILE A [REDACTED]

 UNABLE TO FORWARD - NO ADDRESS PROVIDED

 X ATTACHED IS A COPY OF THE DECISION OF THE IMMIGRATION JUDGE. THIS DECISION IS FINAL UNLESS AN APPEAL IS FILED WITH THE BOARD OF IMMIGRATION APPEALS WITHIN 30 CALENDAR DAYS OF THE DATE OF THE MAILING OF THIS WRITTEN DECISION. SEE THE ENCLOSED FORMS AND INSTRUCTIONS FOR PROPERLY PREPARING YOUR APPEAL. YOUR NOTICE OF APPEAL, ATTACHED DOCUMENTS, AND FEE OR FEE WAIVER REQUEST MUST BE MAILED TO:

BOARD OF IMMIGRATION APPEALS
OFFICE OF THE CLERK
5107 Leesburg Pike, Suite 2000
FALLS CHURCH, VA 22041

 ATTACHED IS A COPY OF THE DECISION OF THE IMMIGRATION JUDGE AS THE RESULT OF YOUR FAILURE TO APPEAR AT YOUR SCHEDULED DEPORTATION OR REMOVAL HEARING. THIS DECISION IS FINAL UNLESS A MOTION TO REOPEN IS FILED IN ACCORDANCE WITH SECTION 242B(c)(3) OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. SECTION 1252B(c)(3) IN DEPORTATION PROCEEDINGS OR SECTION 240(c)(6), 8 U.S.C. SECTION 1229a(c)(6) IN REMOVAL PROCEEDINGS. IF YOU FILE A MOTION TO REOPEN, YOUR MOTION MUST BE FILED WITH THIS COURT:

IMMIGRATION COURT
333 SOUTH MIAMI AVE., STE.700
MIAMI, FL 33130

 OTHER: _____

S.M.
COURT CLERK
IMMIGRATION COURT

FF

CC: ADDICOTT, JACOB
333 S. MIAMI AVENUE, STE. 200
MIAMI, FL, 33130

RE: LINYUSHINA, ELEONORA ALEKSEYEVNA

File: 

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: **MAIL (M)** PERSONAL SERVICE (P)

TO: ALIEN ALIEN c/o Custodial Officer ALIEN's ATT/REP DHS

DATE: 11/21/17 BY: COURT STAFF SM

Attachments: EOIR-33 EOIR-28 Legal Services List Other

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
MIAMI, FLORIDA**

IN THE MATTER OF:)
)
LINYUSHINA, Eleonora Alekseyevna)
A.K.A. LINYUSHINA, Eleonoza)
A# [REDACTED])
LEAD RESPONDENT)
)
MATSEV, Anzor Aslanovich)
A# [REDACTED])
RIDER)
)
RESPONDENTS)
_____)

IN REMOVAL PROCEEDINGS

CHARGE: Section 237(a)(1)(B) of the Immigration and Nationality Act (INA): Any alien who is present in the United States in violation of the INA or any other law of the United States, or whose nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) has been revoked under INA § 221(i), is removable.

APPLICATIONS: Section 208 of the INA: Asylum.

Section 241(b)(3) of the INA: Withholding of Removal.

Sections 1208.16 to 1208.18 of Title 8 of the C.F.R. (2017): Withholding or Deferral of Removal under the Convention Against Torture (CAT).

ON BEHALF OF RESPONDENTS

Bennett Lloyd Grossman, Esquire
Bennett Grossman, P.A.
1919 Northeast 45th Street, Suite 212
Fort Lauderdale, Florida 33308

ON BEHALF OF THE DEPARTMENT

Jacob Addicott, Assistant Chief Counsel
Department of Homeland Security
333 South Miami Avenue, Suite 200
Miami, Florida 33130

WRITTEN DECISION AND ORDERS OF THE IMMIGRATION JUDGE

I. PROCEDURAL HISTORY

Eleonora Alekseyevna Linyushina a.k.a. Eleonoza Linyushina (Lead Respondent) and Anzor Aslanovich Matsev (Mr. Matsev), her husband, (collectively, Respondents) are natives and citizens of Russia. *See* Exhs. 1, 8. On May 31, 2007, Mr. Matsev arrived in the United States using a nonimmigrant J-1 visa, and on June 1, 2009, Lead Respondent arrived in the United States using a nonimmigrant J-1 visa. *See* Exhs. 1, 8. On August 20, 2010, the Department of Homeland Security (DHS) served Respondents with notices to appear (NTAs), charging them with removability under INA § 237(a)(1)(B), as aliens present in the United States in violation of the INA or any other law of the United States. *See* Exhs. 1, 8. On August 26, 2010, Lead Respondent filed an application for asylum and for withholding of removal (Form I-589) and included Mr. Matsev as a spousal derivative; Mr. Matsev did not file his own Form I-589. *See* Exh. 2.

On September 28, 2010, Respondents failed to appear at their scheduled hearing at the Philadelphia Immigration Court, and an immigration judge (IJ) sustained the charge of removability and ordered them removed to Russia *in absentia*. *See* Decision of the Immigration Judge (Sept. 28, 2010). On November 3, 2010, Respondents moved to reopen and rescind the *in absentia* order. *See* Motion to Rescind and Reopen (Nov. 3, 2010). DHS did not oppose the motion, and an IJ granted it. *See* DHS's Non-Opposition to Respondent's Motion to Reopen and Rescind *In Absentia* Order (Jan. 20, 2011); Order of the Immigration Judge (Jan. 14, 2011). At a September 11, 2011 hearing at the New York City Immigration Court, Respondents, through counsel, declined to designate a country of removal; an IJ designated Russia. The IJ reset the matter for Respondents to file an updated Form I-589. On April 4, 2012, Lead Respondent filed a supplemental Form I-589, seeking protection on account of [REDACTED] Mr. Matsev remained a spousal derivative on her Form I-589. *See* Exh. 3.

On November 14, 2013, DHS moved for a change of venue to the Miami Immigration Court because Respondents had moved to South Florida; an IJ granted the motion. *See* Department of Homeland Security's Motion to Change Venue (Nov. 14, 2013); Order (Nov. 15, 2013). At an October 16, 2014 hearing, Respondents, with counsel, appeared before the Court, and at individual hearings on August 16, 2017, and September 20, 2017, the Court heard testimony from Respondents in support of their application for relief.¹

II. SUMMARY OF THE EVIDENCE

The Court admitted exhibits one through twelve and heard testimony from Lead Respondent and Mr. Matsev. The Court has considered all admitted evidence in its entirety, regardless of whether mentioned in this decision, and the Court has familiarized itself with the entire record of proceedings. *See* 8 C.F.R. § 1240.1(b). Below is a summary of the testimony.

¹ During Lead Respondent's testimony, DHS moved for a frivolous finding. However, because the Court will find Lead Respondent not credible and will deny her applications for relief, the Court will not address this issue.

ORDERS OF THE IMMIGRATION JUDGE

IT IS HEREBY ORDERED that Lead Respondent's application for asylum pursuant to INA § 208 is **DENIED**.

IT IS FURTHER ORDERED that Lead Respondent's application for withholding of removal pursuant to INA § 241(b)(3) is **DENIED**.

IT IS FURTHER ORDERED that Lead Respondent's application for protection from removal under CAT pursuant to 8 C.F.R. §§ 1208.16 and 1208.17 is **DENIED**.

IT IS FURTHER ORDERED that Respondents be **REMOVED** from the United States to **RUSSIA**.

DATED this 21st day of November, 2017.



Rene B. Mateo, Immigration Judge

APPEAL RIGHTS: Both parties have the right to appeal this decision. A notice of appeal must be filed with the BIA within thirty calendar days of the issuance date of this decision. *See* 8 C.F.R. § 1003.38(b). If the final date for filing the notice of appeal occurs on a Saturday, Sunday, or legal holiday, the time period for filing will be extended to the next business day. *See id.* If the time period expires and no appeal has been filed, this decision becomes final. *See* 8 C.F.R. § 1003.38(d).

APPEAL DATE: 12/21/2017

Cc: Respondents
Respondents' Counsel
Assistant Chief Counsel

EXHIBIT C

Exhibit C – Sworn Declaration of Detention & Transfers (Self-Declaration)

EXHIBIT C – SWORN DECLARATION OF DETENTION & TRANSFERS I, Anzor Matsev, declare under penalty of perjury:

I was detained by ICE on October 10, 2025. I was initially held at a facility referred to as 'Alcatraz' and transferred approximately two weeks later to Krome Service Processing Center, where I remain detained.

I do not have access to official detention or transfer records because such documents are controlled exclusively by ICE and detention facilities.

I have fully cooperated with all immigration authorities and removal procedures.

I declare under penalty of perjury that the foregoing is true and correct. Signature:



 Date: 1.27.2026 Anzor Matsev 

EXHIBIT D

Exhibit D – Russian Consulate Communications (Washington DC)

EXHIBIT E

Exhibit E – Travel Document Submission Proof (11/7/2025)

EXHIBIT F

Exhibit F – DEO Contact Emails (Proof of Reassignment via Email)

EXHIBIT G

Exhibit G – DEO Non-Response Emails (6 Attempts)

EXHIBIT H

Exhibit H – Family Hardship Evidence

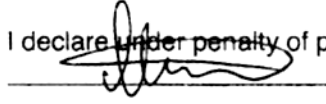
EXHIBIT H – FAMILY HARDSHIP AFFIDAVIT I, Anzor Matsev, declare under penalty of perjury:

I am the sole financial provider for my family. My detention has caused severe financial, emotional, and developmental hardship to my spouse and children.

My children are suffering due to my prolonged absence and inability to support them physically and financially.

This hardship is ongoing, severe, and directly caused by my continued detention.

I declare under penalty of perjury that the foregoing is true and correct. Signature:



Date: 1.27.2026 Anzor Matsev

EXHIBIT I

Exhibit I – ICE Non-Response Documentation