

Page 1 of 28	LODGED
FILED	RECEIVED
DEC 18 2025	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

OPAAJE OLUWAFEMI  
Name and Prisoner Number/ Alien Registration Number

SAN LUIS REGIONAL DETENTION CENTER  
Place of Confinement

P.O. Box 7710  
Mailing Address

SAN LUIS, ARIZONA. 85349.  
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

OPAAJE ADENEJI OLUWAFEMI  
(Full Name of Petitioner)

Petitioner,

CASE NO. CV25-04767-PHX-SMB--DMF  
(To be supplied by the Clerk)

v. DAVID R. RIVAS  
(Name of Warden, Jailor or authorized person  
having custody of Petitioner)

Respondent.

PETITION UNDER 28 U.S.C. § 2241  
FOR A WRIT OF HABEAS CORPUS  
BY A PERSON IN FEDERAL CUSTODY

PETITION

- What are you challenging in this petition?
  - Immigration detention
  - Bureau of Prisons sentence calculation or loss of good-time credits
  - Probation, parole or supervised release
  - Other (explain): \_\_\_\_\_
- (a) Name and location of the agency or court that made the decision you are challenging: DHS  
(Department of Homeland Security) Denver, Colorado.
  - (b) Case or opinion number: \_\_\_\_\_
  - (c) Decision made by the agency or court: DEPORTATION ORDER.
  - (d) Date of the decision: OCT 2021

3. Did you appeal the decision to a higher agency or court? Yes  No

If yes, answer the following:

(a) First appeal:

(1) Name of the agency or court: BIA

(2) Date you filed: July 2<sup>nd</sup> 2025

(3) Opinion or case number: [REDACTED]

(4) Result: PENDING

(5) Date of result: NONE

(6) Issues raised: Appeal of 2017 Deportation order issued in absentia.

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Second appeal:

(1) Name of the agency or court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(c) Third appeal:

(1) Name of the agency or court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

4. If you did not appeal the decision to a higher agency or court, explain why you did not: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes  No

If yes, answer the following:

(a) Name of the agency or court: BIA

(b) Date you filed: August 21<sup>st</sup>, 2025

(c) Opinion or case number: 

(d) Result: APPROVED

(e) Date of result: SEPTEMBER 4<sup>th</sup>, 2025

(f) Issues raised: EMERGENCY STAY OF REMOVAL.

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

6. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available administrative remedies on each ground on which you request action by the federal court.

GROUND ONE: DUE PROCESS: The continued detention pending removal from the Country is in violation of due process. ICE try to deport ME while I have a pending appeal with the BIA. The agency detained me on May 29 2025 and try to deport me in september ignoring my current appeal status and Approved Emergency stay of removal by BIA order. My wife had to Upload the BIA Approved document on deportations.ecr @ ICE.dhs.gov before my deportation was cancelled at the same day my flight was scheduled for my deportation.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

The continued detention pending removal violate the title 8 U.S.C §1231(a)(6) which is also known as §241(a)(6) of the Immigration and National Act see Zadvydas v. Davis 533 U.S 678, 701, 121 S.Ct 2491, 150 L.Ed 2d 653 (2001).

The Fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner. Mathews v. Eldridge, 424 U.S 319, 333 (1976). The procedural due process requirement applies to deportation proceeding for non-citizens as well see eg. Renov Flores, 507 U.S 292, 306 (1993) It is well established that the Fifth Amendment entitles aliens to due process of law in deportation proceeding.

Court weigh three factor when considering what due procedure is due: (i) The private interest that will be affected by official action; (ii) The risk of an erroneous deprivation of such interest through the procedure used; (iii) The probable value and the fiscal, administrative burdens that the additional or substitute procedural requirement would entail. Mathews, 424 U.S at 335.

The Supreme court has held that the first six months of detention under §1231 are presumptively reasonable. See eg. D'Alessandro v. Mukasey, 628 F. Supp 2d 368, 406 (L.D. NY 2009). But after the alien has been detained under §1231 for a period of six month. Once the alien prove their is no likelihood of removal in the nearest future government must grant alien with bond hearing. I have been detained for more than seven months and my BIA Appeal has been pending for more than six month and the Appeal can take upto couple of years.

(b) Did you exhaust all available administrative remedies relating to Ground One? Yes  No

(c) If yes, did you present the issue to:

- The Board of Immigration Appeals
- The Office of General Counsel
- The Parole Commission
- Other: \_\_\_\_\_

(d) If you did not exhaust all available administrative remedies relating to Ground One, explain why:

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GROUND TWO: Removal Order Is not Final: The Supreme Court has concluded that a removal order is administratively final for the purpose of deportation "Once the BIA has reviewed the order or the time for seeking the BIA's review has expired." Johnson v. Guzman Chavez, 594 U.S. 594 (2021). The Circuit Court noted that generally removal order become final "upon the earlier of a determination by the BIA affirming such order."

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):  
The Appeal and final adjudication of removal proceeding can stretch on multiple months or years. see e.g. Al-Sadei v. U.S. Immigr and Customs Enft, 840 F.Supp 3d 983, 990 (S.D. Cal. 2021) "As exemplified removal proceeding can stretch on for months and years." Valencia Zapata v Kiwer, No. 25-cv-07492, 2025 WL 2741657 at \*1 (N.D. Cal. Sept 26 2025). Due to built in procedure, "Full removal proceedings typically take over the course of multiple hearings, which allows time for noncitizens to gather evidence in support of petitions for relief available in immigration court and seek collateral relief from other component of the Department of Homeland Security (DHS)" (quoting Coal. for Humane immigratn Pts v Noem, No. 25-cv-872-2025 WL 2192986 at \*3 (D.D.C Aug 1 2025); CF Lopez-Campos v. Raycraft, No. 25-cv-12486, 2025 WL 2496349, at \*5 (E.D. Mich. Aug 29, 2025)

Appeal before BIA on Average takes six months to years to complete. Mine was submitted July 2nd which is more than six months as of the date ~~of~~ ~~at~~ the date of writing this petition. My deportation order was issued for violating and over staying my VISA, I violated and over stay my visa because I found love, my wife and started a family with her. The removal order was issued in absentia because I moved out of town to my woman and the government record shows the Notice to appear was returned.

(b) Did you exhaust all available administrative remedies relating to Ground Two? Yes  No

- (c) If yes, did you present the issue to:
- The Board of Immigration Appeals
  - The Office of General Counsel
  - The Parole Commission
  - Other: \_\_\_\_\_

(d) If you did not exhaust all available administrative remedies relating to Ground Two, explain why:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GROUND THREE: The Balance Of Hardship & Public Interest Weigh Heavily In Petitioner Favour: I believe I'm entitled to an adjudication of my claim, which is custody release as an extreme hardship base upon my wife, four years old son and thirteen years old step daughter who are all US citizen that I need to provide for. I have a 5 years work Authorization issued to me in February 2025 and I have an I130 and I485 application that has been pending for more than 3 years now.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

The balance of hardship and public interest merge when the government is opposing party "Nken v. Holder, 556 US 418, 435 (2009) Here, Petitioner face weighty hardship. Loss of Liberty, separation from family, significant stress and anxiety and difficulty in obtaining an Attorney. The government by contrast faces minimal hardship: The administrative cost associated with the bond hearing. The balance of hardship tips decidedly in petitioner's favour "When faced with such a conflict between financial concern and preventable human suffering. Hernandez, 872 F.3d at 996 (quoting Lopez v. Heckler, 713 F.2d 1432, 1437 (9th Cir 1983) The policy preventing petitioner from their bond is inconsistent with Federal Law. The balance of hardship and public interest factors weigh in favour of a preliminary injunction Moreno Galvez v. Cucunelli, 387 F.Supp.3d 1208, 1218 (W.D. Wash 2019) see also Moreno Galvez, 52 F.4th at 232 (affirming in part permanent injunction issued in Moreno II and quoting approvingly district Judge's declaration that "It is clear that neither equity nor the public interest are furthered by allowing violation of Federal Law to continue.") This is because it will not be equitable or in the public interest to allow the government to violate the requirement of Federal Law, especially when there are no adequate remedies available. "Valle del Sol Inc. v. Whiting, 732 F.3d 1006, 1029 (9th Cir 2013) Second alteration is original (Citation omitted).

(b) Did you exhaust all available administrative remedies relating to Ground Three? Yes  No

(c) If yes, did you present the issue to:

- The Board of Immigration Appeals
- The Office of General Counsel
- The Parole Commission
- Other: \_\_\_\_\_

(d) If you did not exhaust all available administrative remedies relating to Ground Three, explain why:

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**GROUND FOUR: Principle Of Statutory Interpretation:**

Interim guidance from DHS issued July 8 2025 titled "Interim guidance regarding detention authority for applicants for admission." Only those non-citizen who have already been admitted into the United States are eligible to be released during removal proceeding and other non-citizen or subject to mandatory detention. I was admitted legal at New York airport for entry with a J1 VISA.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

A federal district court is authorized to grant a writ of Habeas Corpus under 28 U.S.C. § 2241, whose the scope is in custody under or by the color of the authority of the United States in violation of the Constitution or Laws or treaties of the United States "28 U.S.C. § 2241 (c)(2).

It is firmly established that section 2241 remains available as a forum for statutory and constitutional challenge to Post-removal-period detention. *Zadkydas v. Davis*, 533 U.S. 678, 688, 121 S.Ct. 2491, 150 L.Ed.2d 653 (2001) see also *Trinidad Garcia v Thomas* 683 F.3d 952, 956 (9th Cir 2013).

The writ of habeas corpus historically provides a remedy to non-citizen challenging executive detention. The continued detention pending removal from the country is in violation of title 8 U.S.C § 1221(b)(6) which is also known as § 241 (a)(6) of the Immigration and National Act.

The INA mandate that the qualifying child of the petitioner must be a child at the time the non-citizen's removal is adjudicated. see *Huerta*, 2024 WL 2142068. The statute instruct to make a present tense evaluation of whether the non-citizen "establish" the requisite hardship "would result" to the child who "is a citizen" at the time of the decision. 8 U.S.C § 1229b(b)(2)(b) see *Huerta*, 2024 WL 2142068 at \*4 (Nalbandian, J. concurring); *Arayo-padella v. Garland*, 854 Fed. Appx. 646, 648 n 1 (6th Circuit 2021)

(b) Did you exhaust all available administrative remedies relating to Ground Four? Yes  No

(c) If yes, did you present the issue to:

- The Board of Immigration Appeals
- The Office of General Counsel
- The Parole Commission
- Other: \_\_\_\_\_

(d) If you did not exhaust all available administrative remedies relating to Ground Four, explain why:

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On December 4<sup>th</sup> 2025, I was invited by ICE Officer Jose Ruiz to the detention Law Library where he gave me some paperwork to read and sign. After reading the paperwork, it appears to be my custody review decision. In that same min I was given a Notice to Alien of Interview for review of custody status for the same date and time, I was ~~also~~ <sup>also</sup> handed a document to sign stating the "Decision to Continue Detention". I was told to fill out "Post order custody review (POCR) worksheet for file review". This worksheet contain information, questions and answer that is expected to help the agency make a fear decision but a decision to keep me custody was handed over to me the sec I finish filling the worksheet.

It was obvious that due process was not acknowledge by the agency and when I spoke to Officer Jose Ruiz about the due process of the review, he told me the decision was sent in by Immigration and Customs Enforcement San Diego Field where he inherited my case from and there is nothing he can do to help me. He advised that my attorney should try to get me bond or anything to help me since I only have a misdemeanor DUI on my record.

I was disappointed reading a document stating "I was given the opportunity to state any facts and present any documentation relevant to my custody review or provide it at a later time (citing 8 C.F.R. § 241.4 (i)) knowing I didn't get any opportunity of such got me depressed. The procedure proves a decision was reached to keep me in detention before the review commence which violate their own policy 8 C.F.R. § 241.4 (i).

The decision to continue detention was based upon overstayed of lawful admission into the united state and risk of flight. I overstayed because I found love and got married to my wife to start a family together and I did applied for adjustment of status with form I-130, I-485 with my marriage Certificate which was kept on pending ~~by~~ for years by the USCIS because of deportation order which is now pending Appeal with the BIA. I'm not a risk of flight because I have been married, living together in the same address for the past 5 years which is the same period of time we have been legally married. We have a four years old son who is also a U.S citizen, just like my wife.

The review also stated that I will be a Public Risk because I was arrested for driving under the influence of Alcohol in 2017, which was my first 12 months in the country, I didn't have the knowledge of the Law then but now I know better. That was my first and only arrest and no complaint has been filled to my name till date because I'm a family man and peaceful person. The DUI was 8 years ago and I have been driving everyday before my detention with no problem with the Law enforcement for the past 9 years have been in the country.

A Misdemeanor DUI Arrest of 8 years is not qualifying crime that could Lawfully justify I am still Endanger to the community and properties. DHS's regulations specifically explain what criminal activity results in failure to maintain status for non-immigrant. A condition of a non-immigrant's admission and continued stay in the United States is obedience to all laws of United state jurisdiction which prohibit the commission of "Crime of violence" and for which a sentence of more than a year imprisonment may be imposed. A non-immigrant's conviction in a jurisdiction in the United States for a crime of violence for which a sentence of more than one year imprisonment may be imposed. (778 F.Supp.3d 1162) Constitutes a failure to maintain status under section 241(a)(1)(c)(i) of the Act.

My Misdemeanor DUI arrest fails to meet these criteria, I was only given a 6 months of probation because it was my first arrest and first 12 months in the country and I didn't know such law exist. Additionally Misdemeanor DUI likely doesn't qualify as a "Crime of violence" see *Leocal v Ashcroft*, 543 U.S. 11-13, 125 S Ct 377, 160 LEd.2d 271 (2004) (holding that a Florida DUI was not a "Crime of violence" under 18 USC §16, because it does not involve a "substantial risk" of "using physical force against another person") The decision of been endangering to community over a 8 years ago Misdemeanor DUI should be ruled out.

The general administrative law requirement that an agency "articulate a satisfactory explanation for its action; *Hernandez v Garland*, 52 F.4th 757 (9th Cir 2022) (quoting *State Farm*, 463 U.S. at 43, 103 S Ct. 2856). There is no lawful ground as to why petitioner can be said to have committed a "Crime of violence" under the APA. *Motor Vehicle*, 463 U.S. at 50, 103 Ct 2856.

Petitioner is not subject to mandatory detention provision. See 8 U.S.C. § 1226(c) / identifying certain criminal offense that subject an alien to mandatory detention.

Misdemeanor DUI Offenses generally do not trigger mandatory detention under that provision. See *Ortiz v. Napolitano*, 667 F.Supp.2d 1108, 1115, (D. Ariz 2009) Holding that DUI Conviction "is not a removable offense and does not trigger the mandatory detention provision"

**Please answer these additional questions about this petition:**

7. Are you challenging your conviction or sentence in any of the grounds raised above? Yes  No   
(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective.)

If yes, answer the following:

(a) Have you filed a motion under 28 U.S.C. § 2255? Yes  No

If yes, answer the following:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Explain why the remedy under § 2255 is inadequate or ineffective: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. If this case concerns immigration removal proceedings, answer the following:

(a) Date you were taken into immigration custody: May 29, 2025

(b) Date of removal or reinstatement order: October 2021

(c) Did you file an appeal with the Board of Immigration Appeals? Yes  No

(1) Date you filed: July 2, 2025

(2) Case number: 

(3) Result: PENDING

(4) Date of result: STILL PENDING.

(5) Issues raised: APPEAL OF DEPORTATION ORDER

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(d) Did you file an appeal with the federal court of appeals? Yes  No

(1) Name of the court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

9. Petitioner asks that the Court grant the following relief: (i) Immediate Release from detention. (ii) Bond hearing with an affordable fee as a last option due to my current financial difficult. (iii) USCIS should finalize my pending change on status application that has been under review for three years (130 and 1485) (iv) Appoint Counsel or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 12-12-2025 (month, day, year).

[Signature]  
Signature of Petitioner

\_\_\_\_\_  
Signature of attorney, if any

12-12-2025  
Date

GRANTED STAY OF REMOVAL BY BIA



**U.S. Department of Justice**

Executive Office for Immigration Review  
*Board of Immigration Appeals*  
*Office of the Clerk*

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5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041

Oak, Jane  
Law Offices of Jane Oak & Associates  
2917 W. Temple Steet  
Los Angeles CA 90026

**DHS/ICE OFFICE OF CHIEF COUNSEL - DEN**  
12445 East Caley Avenue  
Centennial CO 80111-5663

Name: **ADEDEJI OPAAJE, OLUWAFEMI**



Date of this Notice: 9/4/2025

Enclosed is a copy of the Board's stay decision.

Sincerely,

A handwritten signature in cursive script that reads "John Seiler".

John Seiler  
Acting Chief Clerk

Enclosure

Userteam: Paralegal

**NOT FOR PUBLICATION**

U.S. Department of Justice  
Executive Office for Immigration Review  
Board of Immigration Appeals

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MATTER OF:

Oluwafemi ADEDEJI OPAAJE, 

Respondent

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**FILED**  
Sep 04, 2025

ON BEHALF OF RESPONDENT: Jane Oak, Esquire

**IN REMOVAL PROCEEDINGS**

On Motion for Stay of Removal before the Board of Immigration Appeals

Before: Mann, Appellate Immigration Judge

MANN, Appellate Immigration Judge

**STAY ORDER**

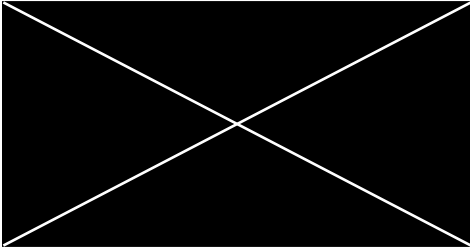
The respondent has filed a request for a stay of removal while his appeal of an Immigration Judge's denial of a motion to reopen is pending with the Board of Immigration Appeals. The Board has concluded that a stay of removal is warranted to allow full review of the appeal. This is not a determination on the merits of this case.

Accordingly, the following order shall be entered.

ORDER: The request for stay of removal is granted.

LETTER OF SUPPORT FROM MY WIFE:

Breauna Simone Opaaje



06/12/2025

To Whom It May Concern,

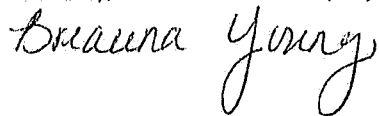
I am writing this letter in support of my husband, Oluwafemi Opaaje, who is currently in MTC Imperial detention facility. I respectfully ask that he can return home to his family and continue supporting us financially and emotionally. Oluwafemi and I are legally married. We have built a genuine and loving relationship based on trust, mutual respect, and shared responsibilities. We share a child together, L [REDACTED] who is 4 years old. We also share a daughter, (his step daughter) L [REDACTED] where he has been a part of her life since 8 years old. Oluwafemi has been a devoted father and partner always present in our lives and fully involved in raising our children. On April 29th, 2025 we attended our immigration interview together as part of the I-130 process. At the conclusion of the interview, my husband was unexpectedly detained. Since that day, our lives have changed drastically, and I have been struggling both mentally and financially. Oluwafemi was not just my husband but my partner. He would help take the kids to school pick them up from school and care for them while I was at work. Now that he is gone it has been very hard finding

childcare. I have had to call off twice from work because I do not have childcare. This has been very difficult seeing as I am the only one supporting my children financially now . His absence has left a huge emotional gap in our life and I've been experiencing deep stress, sadness, and anxiety trying to manage everything on my own. It has also taken a toll on our children, as my 4 year old is constantly asking when is his daddy coming home and does not understand why he is gone. My daughter is suffering from severe depression since he has been gone.

We have a real and loving marriage. We live together, we share financial responsibilities and have built a life as a family. I would like to emphasize that he has Oluwafemi Opaaje has no criminal history. He has always abided by the law and he has never posed any threat to anyone. He is not a flight risk-his family, home, and future are all he ran the United States with us.

Please consider my request to grant my husband's parole so that he may return home to the family that loves and needs him deeply.

Sincerely, Breauna Simone Opaaje.

A handwritten signature in cursive script that reads "Breauna Young". The signature is written in black ink and is positioned below the typed name.

## Review Of Custody Paperwork.

Note: This paperwork proves that the review procedure was not done with due process. The decision to keep me in custody was already determined and printed before I filled out the paperwork to support my reason why I should be released. I was handed all paperwork to read and fill out with no review process of my supporting answers to the question asked.

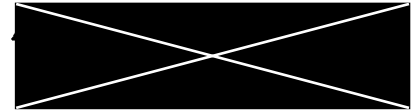
Notice to Interview was handed to me at the same time of the interview result.



U.S. Immigration  
and Customs  
Enforcement

Oluwafemi Opaaje

**COPY**



### Notice to Alien of Interview for Review of Custody Status

U.S. Immigration and Customs Enforcement (ICE) periodically reviews the custody status of detained aliens who have final orders of removal, deportation, or exclusion. You are required to cooperate with ICE in effecting your removal from the United States.

In determining whether you may be recommended for release, ICE will consider whether there is a significant likelihood of your removal in the reasonably foreseeable future, and whether you pose a danger to the community or pose a risk of flight.

You will be interviewed for this purpose and you are scheduled to appear for this interview on:

at: 12/04/2025, at 1000

to discuss whether or not you will be recommended for release. If you wish for additional time to prepare for the interview, you may request that the interview date be postponed. If the hearing is rescheduled at your request, you waive the right to have the interview prior to the date that jurisdiction over your custody status shifts to the Enforcement and Removal Operations Removal Division under 8 C.F.R. § 241.4(c)(2).

In determining whether you may be released, ICE may consider, but is not limited to considering the following:

1. Whether your removal is significantly likely in the reasonably foreseeable future;
2. Criminal convictions and criminal conduct;
3. Other criminal history and immigration history;
4. Sentence(s) imposed and time actually served;
5. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
6. Probation history;
7. Disciplinary problems while incarcerated;
8. Evidence of rehabilitative effort or recidivism;
9. Equities in the United States;
10. Cooperation in obtaining your travel document; and
11. Any available mental health reports.

You are required to complete the information on the following page. You will be notified of the decision in your case when the custody review has been concluded.

A

If your representative has not filed a G-28, Notice of Entry of Appearance, on your behalf, you are responsible for notifying any other person you have selected to assist you of the date, time, and location of the interview. The representative must be at least 18 years of age.

You will be sent a separate Notice to Alien of Interview for Review of Custody Status approximately 30 days before the interview is scheduled. If you wish to request additional time to prepare for the interview, you must notify your deportation officer within five business days of receipt of the Notice of Interview. If ERO agrees to postpone the interview at your request, you will be deemed to have waived its completion prior to jurisdiction over your case transferring to the ERO Removal Division.

You will be notified of the decision in your case when the custody review has been concluded by the ERO Removal Division.

**COPY**

Field Office Director \_\_\_\_\_ Date \_\_\_\_\_

**PROOF OF SERVICE**

(Officer to complete both (a) and (b) below.)

(a) I J. Ruiz D.O, Deportation Officer,  
Name of ICE Officer Title  
certify that I served Opaaje, Oluwafemi Adedeji with a copy of  
Name of detainee  
this document at San Luis Regional Detention Center on 12/04/2025, at 1000.  
Institution Date Time

(b) I certify that I served the custodian \_\_\_\_\_,  
Name of Official  
\_\_\_\_\_, at \_\_\_\_\_, on \_\_\_\_\_,  
Title Institution  
\_\_\_\_\_ with a copy of this document.  
Date

Detainee Signature: [Signature] Date: 04/12/25

- cc: Attorney of Record or Designated Representative
- cc: A-File

U.S. Department of Homeland Security



U.S. Immigration  
and Customs  
Enforcement

OPAAJE, OLUWAFEMI  
c/o Immigration and Customs Enforcement  
San Diego  Field Office



### Notice to Alien of File Custody Review

You are detained in the custody of U.S. Immigration and Customs Enforcement (ICE) and you are required to cooperate with ICE in effecting your removal from the United States. If ICE has not removed you from the United States within the removal period as set forth in INA 241(a) (normally 90-days of either: 1) your entering ICE custody with a final order of removal, deportation or exclusion, or 2) the date of any final order you receive while you are in ICE custody), ICE's Deciding Official will review your case for consideration of release on an Order of Supervision. Release, however, is dependent on your demonstrating to the satisfaction of the Attorney General that you will not pose a danger to the community and will not present a flight risk.

Your custody status will be reviewed on or about 12/04/2025 . The Deciding Official may consider, but is not limited to considering the following:

1. Criminal convictions and criminal conduct;
2. Other criminal and immigration history;
3. Sentence(s) imposed and time actually served;
4. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
5. Probation history;
6. Disciplinary problems while incarcerated;
7. Evidence of rehabilitative effort or recidivism;
8. Equities in the United States;
9. Cooperation in obtaining your travel document;
10. Any available mental health reports.

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You may submit any documentation you wish to be reviewed in support of your release, prior to the date listed above, to the attention of the Officer and address below. English translations must be provided pursuant to 8 CFR 103.2(b)(3). An attorney or other person may submit materials on your behalf. The deciding official will notify you of the decision in your case. Attached to this notice is a list of free or low cost legal representatives who may be able to provide assistance to you in preparing your case.

The panel believes that the criteria for release set forth at 8 C.F.R. § 241.4(e) has not been met. OPAAJE over stayed on his J-1 nonimmigrant visa illegally and was arrested for Driving Under the Influence of Liquor. OPAAJE would be a public risk.

The panel recommends that OPAAJE be detained and recommends that ICE arrange a departure plan with OPAAJE to effectuate his removal order.

[www.ice.gov](http://www.ice.gov)

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# POST ORDER CUSTODY REVIEW (POCR) WORKSHEET FOR FILE REVIEW

Please complete all of the following information and return this form as soon as possible.  
You may use an envelope if you like, but you will have to provide it. If you have any  
additional WRITTEN information to be considered in your case you may include it.

Name: Opaaje, Oluwafemi

Today's Date: 12/04/2025

A-Number: 

Date of Birth: 

Country of Birth: NIGERIA


# COPY

Citizenship: NIGE

Date of Review: Dec 04, 2025

Case Officer: J. Ruiz  
ICE Deportation Officer.

Detained at: San Luis Regional Detention Center (San Luis, AZ)

1) Do you have place to live in the United States?  Yes  No  
If yes, write the complete name of the person who will receive you, their relationship to you, their address, zip code and phone number(s). 

2) Are you subject to any parole or probation requirements?  Yes  No  
If yes, write your case number, the complete name, address, zip code and phone number of your parole/probation Officer, & the date your parole or probation expires:  
When I was arrest I completed in 2017, I was only ~~to~~ subject to 6 months of probation

3) Do you have legal representation?  Yes  No  
If so, write the name of the lawyer, attorney, or law firm; the address, zip code and telephone number(s): Jane Oak Law Office

4) Do you have close family ties within the United States?  Yes  No  
If yes, list their complete names (also indicate their relationship to you), addresses, zip codes & phone numbers: (Wife) Breanna Young Opaaje  
Son Legend Oparide Opaaje  
Step Daughter Lilah Johnson

5) Do you have any community ties or non-governmental sponsors?  Yes  No

1 Celestian Church of God.  
I play the keyboard and Drum.

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6) Do you have any employment prospects?

Yes

No

If so, list the type of job, whether it's full-time or part-time, the names, addresses, zip codes & phone numbers of supervisors, personnel directors or managers who can verify your job offer:

Security Officer.  
Event Co-ordinator  
Music teacher  
Sound Engineer.

7) What is your employment history in the United States?

If you have worked in the US before, list the type of job(s), complete name of the company or business, the dates of employment, whether the job was full time or part time, the complete names, addresses, zip codes & phone numbers of supervisors, personnel directors or managers who can verify that you worked there:

NONE  
Security Officer at Ruben Security Company.  
Sound Engineer at The Tribe Entertainment Center.

8) What is your education level (US and/or foreign)?

List the complete names, addresses, zip codes & phone numbers of school(s), type of diploma or degree, dates of completion, and the complete names of staff members who can verify your attendance: B.S.C in Accounting

9) Do you have any vocational training (US and/or foreign)?

Yes

No

If so, list the type of training, date of graduation, the complete names, addresses, zip codes & phone numbers of administrators, directors, teachers or managers who can verify your attendance:

only on the job agricultural  
training Not Applicable at this time

10) If there's any other documentary evidence you have for consideration in this review, list it here:

Enforcement and Removal Operations  
X Field Office  
U.S. Department of Homeland  
Security  
Street Address  
City, State, Zip Code



U.S. Immigration  
and Customs  
Enforcement

**COPY**

December 04, 2025

MEMORANDUM FOR: Headquarters Removal Division  
Janese Mull  
Unit Chief

THROUGH: Daniel A. Brightman  
(A) Field Office Director

FROM: A. Embernate D.O  
J. Perez D.O

SUBJECT: Opaaje, Oluwafemi Adedeji 

The panel recommends that OPAAJE be detained in ICE custody. On 12/04/2025, the panel interviewed OPAAJE pursuant to 8 C.F.R. § 241.4(i). The interview took place at San Luis Regional Detention Center, 406 N AVE D San Luis AZ 85349. The alien was not represented during the interview. The purpose of this interview was to allow OPAAJE to submit to the review panel any information, in English, that he or she believes presents a basis for his or her release. OPAAJE was apprehended on 05/13/2017 for Driving Under Influence Liquor.

During the interview with OPAAJE, the panel cited 8 C.F.R. § 241.4(i) and stated the purpose of the interview. OPAAJE was given the opportunity to state any facts and present any documentation relevant to his custody review or provide it at a later time. OPAAJE was also asked a series of questions to assist the panel in determining whether his detention should be continued; the following questions and answers are also attached to this memorandum.



U.S. Immigration  
and Customs  
Enforcement

Oyaaie, Oluwafemi Adedeji  
c/o Immigration and Customs Enforcement  
San Diego  Field Office

**COPY**



### Decision to Continue Detention

This letter is to inform you that your custody status has been reviewed, and it has been determined that you will not be released from the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your file, consideration of the information you submitted to ICE's reviewing officials on \_\_\_\_\_, and upon review of the factors for consideration set forth at 8 C.F.R. § 241.4(e), (f), and (g).

As explained below, after such review, ICE has determined to maintain your custody because:

- You have not demonstrated that, if released, you will not:
  - Pose a danger to the community, to the safety of other persons, or to property.
  - Pose a significant risk of flight pending your removal from the United States.

OR

ICE has made such determination based upon:

You previously overstayed your lawful admission into the United State, and are your a risk of flight.

Based on the above, you are to remain in ICE custody pending your removal from the United States as ICE is unable to conclude that the factors set forth at 8 C.F.R. § 241.4(e) have been satisfied. You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. § 1253(a).

Good Day, Pls I couldn't get the Application for the motion  
to Appoint Counsel, I Added A stamp to help mail me one.  
thanks.