

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

JAWAD SAFARI,

Petitioner,

vs.

KEVIN RAYCRAFT, Acting Director of
Enforcement and Removal Operations, Detroit
Field Office, Immigration and Customs
Enforcement; KRISTI NOEM, Secretary, U.S.
Department of Homeland Security; PAMELA
BONDI, U.S. Attorney General,

Respondents.

Case No. 1:25-cv-00951

District Judge Jeffrey P. Hopkins

Magistrate Judge Karen L. Litkovitz

PETITIONER'S NOTICE OF WITHOLDING OF REMOVAL GRANT

Petitioner, Mr. Jawad Safari, by and through undersigned counsel, hereby submits this notice updating the Court that on March 24, 2026, Immigration Judge Riedthaller-Williams of the Cleveland Immigration Court granted withholding of removal under the Immigration and Nationality Act § 241(b)(3). (Exhibit A, Order Granting Withholding of Removal). Given this, Mr. Safari cannot be removed to Afghanistan. Despite this, Mr. Safari remains in ICE custody at the Butler County Correctional Complex in Hamilton, Ohio while his removal is not reasonably foreseeable. Accordingly, Petitioner requests immediate release.

Additionally, recent case law within the Sixth Circuit further strengthens Petitioner's habeas claim. In *Ramirez-Mendez v. Olson*, No. 26-17-DLB (E.D. Ky. Apr. 2, 2026), the Eastern District of Kentucky rejected Respondents' attempt to justify continued detention under 8 U.S.C. § 1225(b) where the petitioner had already been processed and later detained within the United

States. The court held that § 1225(b) applies only in the context of initial border processing and does not authorize prolonged detention, thereafter, instead requiring an individualized custody determination.

Mr. Safari's circumstances are materially indistinguishable. Like the petitioner in *Ramirez-Mendez*, he was granted humanitarian parole, released into the United States, and only later apprehended by ICE during a routine check-in. Accordingly, DHS lacks authority to detain him under § 1225(b). His detention must instead be governed by 8 U.S.C. § 1226(a), which entitles him to an individualized bond hearing.

Moreover, Mr. Safari is currently experiencing significant psychological distress, and his mental health has deteriorated substantially during his continued detention. This is particularly troubling given that he has already prevailed on a form of relief. His ongoing detention, despite these circumstances, constitutes a clear violation of his statutory and constitutional rights and reflects Respondents' broader disregard for the procedural protections owed to Mr. Safari and similarly situated noncitizen detainees.

DATE: April 6, 2026

Respectfully submitted,

/s/ Julie Nemecek
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