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9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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MAHAMAT ROZI,  
 Petitioner,  
 v.  
 JOHN MATTOS et al.,  
 Respondents.

Case No. 2:25-cv-02557-GMN-MDC  
**Federal Respondents' Response to  
 First Amended § 2241 Petition  
 (ECF No. 10) and Motion for  
 Preliminary Injunction (ECF No. 12)**

16 Federal Respondents Kristi Noem, Pamela Bondi, Michael Bernacke, and Todd  
 17 Lyons, through undersigned counsel, hereby file this response to the First Amended § 2241  
 18 Petition (ECF No. 10) and Motion for Preliminary Injunction (ECF No. 12) filed by  
 19 Mahamat Rozi ("Petitioner").

20 On or about February 6, 2018, an Immigration Judge ordered Petitioner removed  
 21 from the United States to Chad or in the alternative to Niger. (Ex A) Petitioner appealed to  
 22 the Board of Immigration Appeals, which dismissed his appeal on June 28, 2018. (Ex. B.)  
 23 Petitioner further appealed to the Ninth Circuit, which denied his petition for review in an  
 24 order dated June 19, 2019. (Ex. C.) The mandate for that decision issued on August 20,  
 25 2019. Id. The next day, Chad notified ICE that it would not provide a travel document for  
 26 Petitioner without an identity document confirming that he was a Chadian citizen. (Ex. D.)

27 On or about October 7, 2019, Petitioner was released on an Order of Supervision  
 28 that included the condition "That you do not commit any crimes while on this Order of

1 Supervision.” (Ex. E at 3.) Over the next few years, Petitioner was convicted of two crimes  
2 in violation of his supervision. In September 2020, Petitioner pled guilty to a third degree  
3 felony by selling methamphetamine to an undercover officer in Salt Lake County, Utah.  
4 (Ex. F.) In September 2023, Petitioner committed another crime by punching a woman in  
5 the head. (Ex. G.)

6 On May 1, 2025, ICE discovered that Petitioner was in Utah state custody for  
7 another crime. (Ex. H.) Petitioner was released to ICE custody on July 22, 2025.<sup>1</sup> *Id.*

8 As of January 22, 2026, Petitioner will have been in renewed post-removal  
9 immigration custody for six months, and the Supreme Court’s decision in *Zadvydas v. Davis*,  
10 533 U.S. 678 (2001) will undoubtedly apply. Under *Zadvydas*, after six months of detention,  
11 the Court must evaluate whether there is a “significant likelihood of removal in the  
12 reasonably foreseeable future.” *Id.* at 701. As of today, ICE is unable to provide any  
13 documentation as to any progress made towards removal to the countries identified in  
14 Petitioner’s removal order. To the government’s knowledge, ICE has also not identified  
15 any potential third country for his removal.

16 In other cases that are not factually distinguishable from Petitioner’s, such as *Barka*  
17 *v. Mattos*, No. 2:25-cv-1781-GMN-MDC and *Bunnell v. United States*, Case No. 2:25-cv-  
18 2259-GMN-EJY (D. Nev.), this Court has ordered the petitioner’s immediate release under  
19 reasonable terms of supervision under 8 U.S.C. § 1231(a)(3). *See* ECF 22 (Order Granting  
20 Petition for Writ of Habeas Corpus) at 15 in *Barka*; ECF 25 (Order Granting Motion for  
21 Temporary Restraining Order) at 17 in *Bunnell*. The government would request that in this  
22 case the Court give ICE 48 hours to release Petitioner so that they can ensure a safe and  
23 orderly release during the daytime.

24 Aside from release, Petitioner requests that the Court order injunctive relief  
25 (a) “prohibiting the government from revoking his supervision without first following the  
26 required statutory procedures”; and (b) “prohibiting the government from removing him to  
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28 <sup>1</sup> Petitioner’s Amended Petition incorrectly claims that he “was re-detained in February  
2025.” ECF 10 at 2.



**INDEX OF EXHIBITS**

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- Exhibit A Immigration Judge Order (Feb. 6, 2018)
- Exhibit B Board of Immigration Appeals Decision (June 28, 2018)
- Exhibit C Ninth Circuit Order (June 28, 2019) and Mandate (Aug. 20, 2019)
- Exhibit D Letter from Embassy of the Republic of Chad (Aug. 21, 2019)
- Exhibit E Order of Supervision (Oct. 7, 2019)
- Exhibit F Documents from State v. Rozi, No. 211907022
- Exhibit G Documents from State v. Rozi, No. 231911000
- Exhibit H Record of Deportable/Inadmissible Alien (July 22, 2025)