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9 UNITED STATES DISTRICT COURT  
10 SOUTHERN DISTRICT OF CALIFORNIA

11 ZHILBERT KHACHIKIAN

12 Petitioner,

13 v.

14 JEREMY CASEY, Warden, Imperial  
15 Regional Detention Facility, et al.,

16 Respondents.

Case No. 25-cv-03737-GPC-JLB

Agency File No. 

**PETITIONER'S TRAVERSE  
SUPPORTING PETITION FOR WRIT  
OF HABEAS CORPUS**

Date: January 9, 2026

Time: 1:30 p.m.

Courtroom: 12A

Hon. Gonzalo P. Curiel

1 **I. INTRODUCTION**

2 Petitioner Zhibert Khachikian (“Petitioner” or “Mr. Khachikian”) filed a Petition  
3 for Writ of Habeas Corpus challenging the unlawful revocation of his release on an Order  
4 of Supervision and Unsupervised Parole (“OSUP”) and his continued detention without  
5 belief that his removal from the United States is reasonably foreseeable. *See* Dkt. No. 1.

6 On January 2, 2026, Respondents filed a Return to this Petition. hereby replies to  
7 Respondents’ Return in Opposition to Petitioner’s Habeas Petition. *See* Dkt. No. 8.  
8 Respondents argue that the writ should be denied because: (1) Respondents are not  
9 seeking third country removal; (2) claims that arise from or seek to enjoin a decision to  
10 execute a removal order are jurisdictionally barred; (3) Petitioner’s detention is lawful  
11 and he has not established there is no significant likelihood of removal in the reasonably  
12 foreseeable future; (4) Petitioner’s refusal to cooperate authorizes his continued  
13 detention; and (5) procedural defects in Petitioner’s detention do not establish a basis for  
14 habeas.

15 Petitioner responds as follows.

16 **II. ARGUMENT**

17 **A. The Cause of Action Regarding Third Country Removal Hinges on**  
18 **Respondents’ Actions and Intent**

19 Respondents, in their return to the petition, stated that “ICE is not seeking to  
20 remove Petitioner to a third country” and included a sworn declaration from Immigration  
21 and Customs Enforcement (“ICE”) Deportation Officer Salvador Perez, Jr. (“DO Perez”)  
22 explaining steps to collect travel documents for Iran, without affirmatively denying any  
23 intent for removal to a third country.

24 Petitioner stands by his original Petition and cause of action, that to the extent  
25 Respondents detained Petitioner to pursue removal of Petitioner to a third country,  
26 instead of the country of Iran for which there exists an order of removal, such detention is  
27

1 unlawful. If in fact Respondents do not intend to remove Petitioner to a third country,  
2 Petitioner agrees that there is no live controversy at this time.

3  
4 **B. Petitioner Seeks a Writ of Habeas Corpus, Not a Bar on Execution of a**  
5 **Removal Order**

6 Respondents' argue that claims that arise from or seek to enjoin a decision to  
7 execute a removal order are jurisdictionally barred under 8 U.S.C. § 1252(g).

8 Respondents' jurisdictional argument is overbroad and misplaced.

9 Petitioner is not asking this Court to adjudicate the validity of the removal order  
10 from 1999, nor whether Respondents can execute on the removal order. Petitioner is  
11 challenging the legality of his custody, and is seeking habeas relief in the form of release  
12 from detention and restoration of supervision based on unlawful custody and revocation  
13 procedures. *See Dearinger ex rel. Volkova v. Reno*, 232 F.3d 1042, 1044 (9th Cir. 2000)  
14 (Section 1252(g) did not deprive district court of habeas jurisdiction); *Barapind v. Reno*,  
15 225 F.3d 1100, 1109-10 (9th Cir. 2000) (Section 1252(g) did not affect the availability  
16 and scope of habeas review).

17  
18 **C. Petitioner's Removal is Not Reasonably Foreseeable**

19 Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), there is a rebuttable presumption  
20 that six months is a reasonable period of detention, after which the government must  
21 rebut a showing that there is "no significant likelihood of removal in the reasonably  
22 foreseeable future." It is Petitioner's position that the six-month period has already  
23 lapsed after the removal order in 1999 and alternatively after his detention and OSUP in  
24 2008. Notwithstanding the above, even if this court finds that the six-month period has  
25 not lapsed, *Zadvydas* does not preclude a detainee from challenging such detention before  
26 such time. *See Munoz-Saucedo v. Pittman*, CV-25-2258-CPO (D.N.J. June 24, 2025);  
27 *Trinh v. Homan*, 466 F.Supp.3d 1077, 1093 (C.D. Cal. 2020) (*Zadvydas* established a  
28

1 “guide” and not a categorical prohibition on claims challenging detention less than six  
2 months).

3 Respondents cite to an ICE Annual Report (indicating 10-27 removals of Iranians  
4 per fiscal year from 2019 to 2024) and to a declaration by DO Perez alleging 135 Iranian  
5 nationals were removed in fiscal year 2025 as evidence that Petitioner will be removed  
6 “promptly”. However, these statistics are red herring generalities and not individualized  
7 probabilities as required under *Zadvydas*. DO Perez’s statement of 135 Iranian nationals  
8 being removed is unsubstantiated and uncorroborated and should not be considered  
9 evidence. Furthermore, while ICE provides data in its Annual Report of removals in the  
10 fiscal year, ICE expressly acknowledges that its country-of-citizenship data therein is not  
11 the product of independent verification or legal determination, but that it is “derived from  
12 the ICE system of record as it is input by the officer at the time of processing”,  
13 confirming such designations are based on administrative data entry by an officer rather  
14 than documentary proof, legal analysis, or confirmation by a foreign government. It does  
15 not reflect actual citizenship, diplomatic acceptance, or the legal or practical ability to  
16 effectuate removal, and reliance on such data to support removability would violate due  
17 process principles requiring individualized and reliable determinations.

18 Notwithstanding the above, current articles published in mainstream media  
19 indicate that Iran has agreed under an informal arrangement to repatriate 400 deportees,  
20 of which between 110 to 175 have already been deported (first 120, later reported as 55,  
21 and then another 55). *See, e.g.,* Farnaz Fassihi & Hamed Aleaziz, *U.S. Departs*  
22 *Planeload of Iranians After Deal With Tehran, Officials Say*, N.Y. Times (Sept. 30,  
23 2025), [https://www.nytimes.com/2025/09/30/world/middleeast/us-iran-deportation-](https://www.nytimes.com/2025/09/30/world/middleeast/us-iran-deportation-flight.html)  
24 [flight.html](https://www.nytimes.com/2025/09/30/world/middleeast/us-iran-deportation-flight.html) (last visited Jan. 6, 2026); Rachel Flynn, *US deporting 120 Iranians after deal*  
25 *struck with Tehran, Iran says*, BBC (Sept. 30, 2025),  
26 <https://www.bbc.com/news/articles/cgrql7gd10do> (last visited Jan. 6, 2026); Khashayar  
27 Joneidi, *US departs second group of Iranian nationals, officials say*, BBC (Dec. 8, 2025),  
28 <https://www.bbc.com/news/articles/c23e77ln3d1o> (last visited Jan. 6, 2026). The

1 question remains whether Petitioner is among the remaining up-to-290 individuals who  
2 Iran will accept. Respondents have provided no specific evidence that Iran has agreed to  
3 repatriate Petitioner.

4 Mr. Abolfazl Mehrabadi, director of Iran's Interest Section in Washington D.C.,  
5 which is the agency to which ICE submitted its request for travel documents for (per the  
6 declaration of DO Perez), has stated in September 2025 that there are about 300 Iranians  
7 in detention and about 2,500 facing threat of deportation from the U.S., and many of the  
8 actual deportees were lingering for months in detention and accepted voluntary  
9 deportation to Iran because they were faced with alternative deportation to a third  
10 country. *See Fassihi & Aleaziz, U.S. Deports Planeload of Iranians After Deal With*  
11 *Tehran, Officials Say, supra*. Subsequent reports include a statement from Tricia  
12 McLaughlin, spokeswoman for DHS, that the flight of Iranian deportees contained  
13 individuals with ties to terrorism, individuals on the terror watch list, suspected foreign  
14 agents, and human smugglers associated with human trafficking networks, suggesting  
15 prioritization of certain individuals for removal. *See Farnaz Fassihi & Hamed Aleaziz,*  
16 *'It Feels Like I'm in a Nightmare': Inside the First Deportation Flight to Iran*, N.Y.  
17 Times (Nov. 11, 2025), [https://www.nytimes.com/2025/11/11/world/middleeast/iran-](https://www.nytimes.com/2025/11/11/world/middleeast/iran-trump-deportation-flight.html)  
18 [trump-deportation-flight.html](https://www.nytimes.com/2025/11/11/world/middleeast/iran-trump-deportation-flight.html) (last visited Jan. 6, 2026). Respondents have provided no  
19 specific evidence that Petitioner falls in any of these high priority groups, or provided any  
20 other evidence that out of the reported 2,500 Iranians facing threat of deportation, that he  
21 is prioritized to be among the remaining up-to-290 individuals to be removed. The fact  
22 that Petitioner was only detained on November 16, 2025, two months after the  
23 announcement that the U.S. would deport 400 Iranians, further suggests he is not a  
24 priority.

25 Instead, Respondents only cite to the declaration of DO Perez, who indicates that  
26 ICE only started the process to request travel documents on December 8, 2025, while  
27 giving no explanation for why Respondents waited more than three weeks since they first  
28 detained Petitioner to start the process, or why they took an additional 14 days to

1 complete and submit the finalized travel document request that Respondents were clearly  
2 able to complete on their own. Respondents' own actions do not indicate that Petitioner  
3 is a priority for imminent removal.

4 Furthermore, recent habeas cases of Iranian nationals around the country have also  
5 noted that the Iranian Interests Section in Washington, D.C.—the agency to which ICE  
6 submitted its request for travel documents for Petitioner—requires original documents  
7 such as birth certificates, passports, or other identity documents before an application for  
8 travel documents would be considered. *See, e.g., Kamyab v. Bondi*, C25-389-RSL-MLP,  
9 2025 WL 2918081, at \*3 (W.D. Wash. Aug. 5, 2025); *Nadari v. Bondi*, 2:25-cv-07893-  
10 JLS-BFM, *report and recommendation* (C.D. Cal. Nov. 26, 2025) *adopted* (C.D. Cal.  
11 Dec. 12, 2025). Petitioner and Respondents have no such original documents, rendering  
12 any application for travel documents frivolous, and clearly establishing Petitioner's  
13 removal is neither imminent nor reasonably foreseeable nor reasonably likely to occur in  
14 the reasonably foreseeable future.

15 Lastly, in the absence of any formal treaty, the broader political context further  
16 undermines claims of potential or predictable removals to Iran. In January 2026,  
17 President Trump publicly warned that the United States was “locked and loaded and  
18 ready to go” to intervene if Iranian authorities violently suppressed peaceful protesters—  
19 a statement widely reported by major news outlets. *Trump threatens Iran over protest*  
20 *crackdown as deadly unrest flares*, Reuters (Jan. 2, 2026),  
21 [https://www.reuters.com/world/middle-east/trump-threatens-iran-over-protest-deaths-](https://www.reuters.com/world/middle-east/trump-threatens-iran-over-protest-deaths-unrest-flares-2026-01-02/)  
22 [unrest-flares-2026-01-02/](https://www.reuters.com/world/middle-east/trump-threatens-iran-over-protest-deaths-unrest-flares-2026-01-02/) (last visited Jan. 6, 2026). Iranian officials responded by  
23 rejecting U.S. interference and warning that such statements would destabilize the region,  
24 highlighting the adversarial nature of the relationship. William Christou, *Iran officials*  
25 *warn Trump of red line after his threat to 'rescue' protesters*, The Guardian (Jan. 2,  
26 2026), [https://www.theguardian.com/world/2026/jan/02/iranian-officials-warn-trump-](https://www.theguardian.com/world/2026/jan/02/iranian-officials-warn-trump-not-cross-red-line-threats-intervene-protests)  
27 [not-cross-red-line-threats-intervene-protests](https://www.theguardian.com/world/2026/jan/02/iranian-officials-warn-trump-not-cross-red-line-threats-intervene-protests) (last visited Jan. 6, 2026). Such high-level  
28 hostility is inconsistent with the notion of a cooperative framework for deportations, and

1 instead demonstrates that U.S.-Iran relations remain volatile and subject to abrupt  
2 diplomatic breakdowns. Accordingly, references to an ability or agreement for  
3 deportations does not establish that removals to Iran are routine, reliable, or even  
4 reasonably foreseeable in the future. At most, the record reflects an informal, episodic,  
5 and intermediary-mediated arrangement, not a formal or durable framework governing  
6 removals. If the government contends otherwise, it bears the burden of producing the  
7 agreement or policy upon which it relies.

8  
9 **D. Petitioner’s Conduct Did Not “Prevent” Removal**

10 Respondents allege Petitioner refused to cooperate with ICE’s efforts to obtain a  
11 travel document, based in part on the declaration of DO Perez, and subsequently attempt  
12 to use 8 U.S.C. § 1231(a)(1)(C) to justify continued detention.

13 However, Petitioner has not refused any cooperation; instead, Petitioner has  
14 consistently maintained that he has an attorney and is exercising his right for ICE officers  
15 to share any documents with his attorney and to involve his attorney so he can be  
16 counseled through any process. *See* Exhibit E. Despite Petitioner’s continual requests,  
17 ICE officers have not reached out to Petitioner’s counsel nor provided any alleged  
18 documentation. Any alleged refusal to cooperate on the part of Petitioner is merely  
19 Petitioner’s assertion of having his counsel involved, and it is Respondents who have  
20 subsequently stalled any further processing of the travel document process.

21 Notwithstanding the above, any alleged refusal to cooperate on the part of  
22 Petitioner is rendered moot regardless as Respondents admit they were able to complete,  
23 finalize, and submit the travel document request using its resources and available  
24 information in DHS records and databases.

25 While Respondents cite *Pelich v. INS*, 329 F.3d 1057 (9th Cir. 2003), that case  
26 involved a detainee whose refusal to provide biographical data directly prevented the  
27 government from acting. Here, Respondents admit they successfully completed the  
28 travel document request using information already in their databases. Furthermore,

1 Respondents have always had said information in their databases, and could likely have  
2 completed the travel document request at any time—even prior to Petitioner’s re-  
3 detention on November 16, 2025.

4 Therefore, any alleged refusal to sign by Petitioner was not the cause of any delay,  
5 he is not “obstructing” removal, and he does not have the “keys to his freedom in his  
6 pocket” as in *Pelich*. In fact, it is Respondents who have significantly delayed the travel  
7 document request process, having had the capability to do so prior to Petitioner’s re-  
8 detention, having waited over 3 weeks after Petitioner was re-detained to even begin to  
9 allegedly ask for Petitioner’s cooperation on December 8, and waiting an additional two  
10 weeks thereafter to complete the travel document request with data they already had.

11  
12 **E. ICE Violated its Own Regulations in Revoking Petitioner’s OSUP, and the**  
13 **Proper Remedy for this Violation is Immediate Release**

14 Respondents allege in their return to the petition that procedural defects in  
15 Petitioner’s detention are merely harmless error, and do not establish a basis for habeas.  
16 However, case after case in district court has found the opposite, and ordered release on  
17 habeas for procedural regulatory violations, finding them in violation of a petitioner’s due  
18 process rights.

19 The regulation at 8 C.F.R. § 241.4(l)(2)(iii) permits the Executive Associate  
20 Commissioner to revoke the release of a noncitizen if it is appropriate to enforce a  
21 removal order. Pursuant to 8 C.F.R. §§ 241.13(h)(4)(i)(2), (3), Respondents must  
22 provide a noncitizen with notice of the reasons for the revocation, must provide an  
23 informal interview, and must provide an opportunity to submit any evidence or  
24 information that he believes shows there is no significant likelihood he will be removed  
25 in the reasonably foreseeable future.

26 Respondents have violated their regulations in multiple ways. Respondents allege  
27 in their return to the petition that they are not required to provide notice of revocation in  
28 writing or prior to detention. Respondents further allege, via the declaration of DO

1 Perez, that on November 17, 2025, Petitioner was served with a Notice of Revocation of  
2 Release notifying him that his OSUP was revoked as of November 16, but did not  
3 provide a copy of said notice. The only notice in the court record, attached previously  
4 with Petitioner's Petition for Writ of Habeas Corpus, does not demonstrate that the OSUP  
5 was revoked by an individual with authority to do so, with the only names attached to it  
6 being Deportation Officer R. Romero and Supervisory Detention Deportation Officer T.  
7 Gaeta. *See* Dkt. No. 1-3; *see also Rombot v. Souza*, 296 F.Supp.3d 383, 385 (D. Mass.  
8 Nov. 8, 2017) (it is not clear an ICE Field Office Director can revoke an order of  
9 supervision to enforce a removal order); *Ceesay v. Kurzdorfer*, 781 F.Supp.3d 137, 162  
10 (W.D.N.Y. May 2, 2025) (noting the authority of the Executive Associate Commissioner  
11 of INS was transferred to the Executive Associate Director of ICE, and finding an  
12 Assistant Field Office Director is not the equivalent of the Executive Associate Director);  
13 *Santamaria Orellana v. Baker*, 2025 WL 244087, \*6 (D. Md. Aug. 25, 2025) (only the  
14 Executive Associate Commissioner or a district director can revoke release); *Zhu v.*  
15 *Genalo*, 2025 WL 242352, \*8 (S.D.N.Y. Aug. 26, 2025) (same); *Santamaria Orellana v.*  
16 *Baker*, 2025 WL 2841886, \*5-6 (D. Md. Oct. 7, 2025) (the requirement that a specific  
17 senior official sign a notice of revocation is not merely a housekeeping matter, and  
18 ordering release as a result).

19 The declaration of DO Perez further establishes facts fatal to Respondents' case.  
20 DO Perez alleges that on November 17, 2025, Petitioner was served with the Notice of  
21 Revocation stating that OSUP was revoked as of November 16, 2025. However, Due  
22 Process requires that an individual be noticed, and all necessary processing of a  
23 revocation of release happen, prior to any act of detention, not after the fact. *See Zhu*,  
24 2025 WL 2452352 at \*9 (regulations and the Due Process Clause require that the process  
25 required for revoking a release must happen before a noncitizen is re-detained, and  
26 ordered immediate release).

27 Respondents allege that their Notice of Revocation was compliant with regulatory  
28 requirements with its template language that the purpose of release has been served and it

1 was appropriate to enforce the removal order, yet district courts have found otherwise.  
2 *See, e.g., Perez-Escobar v. Mariz*, 2025 WL 2084102, \*2 (D. Mass. July 24, 2025)  
3 (finding a Notice of Revocation that stated only that there is a significant likelihood of  
4 removal in the reasonably foreseeable future, the purpose of release had been served, and  
5 it was appropriate to enforce the removal order “does not identify any specific changed  
6 circumstances” and fails to give the petitioner “meaningful notice of the basis for its  
7 revocation” and ordering petitioner’s immediate release).

8 Respondents allege that Petitioner was provided an informal interview as required  
9 by regulation, and provided a document dated November 17, 2025 that Deportation  
10 Officer R. Romero conducted said informal interview, and that Petitioner allegedly made  
11 an oral response of “I will wait for my lawyer.” *See* Dkt. No. 8-1 p.4. However, said  
12 document is factually inaccurate, or at the very least, contested. Shortly after he was  
13 detained, Petitioner had advised undersigned counsel that he was not provided any such  
14 informal interview or meaningful opportunity to respond to the alleged grounds of  
15 revocation, and in all interactions with ICE personnel, Petitioner advised ICE officers that  
16 he was represented by counsel and wished to contact his attorney and for ICE to get his  
17 attorney involved—an invocation of his right to counsel, not a refusal to respond or  
18 waiver of his right to be heard. *See* Exhibit F (declaration of Anna Darbinian). ICE  
19 officers would not contact Petitioner’s counsel to proceed as Petitioner requested  
20 repeatedly. *See id.* Had Petitioner been provided an interview and an opportunity to  
21 present evidence, Petitioner could and would have provided evidence of his Bahai ID—  
22 the very evidence the original Immigration Judge noted could be a basis for  
23 reconsideration, which directly impacts the likelihood of his removal being prohibited as  
24 a matter of law and his immigration removal proceedings reopened. Failure to provide  
25 the informal interview violates Petitioner’s due process rights, and courts have ordered  
26 release as a result. *See, e.g., Ceesay*, 781 F.Supp.3d at 163-65, 66; *K.E.O. v. Woosley*,  
27 2025 WL 2553394, \*5-7 (W.D. Ky. Sept. 4, 2025); *Santamaria Orellana*, 2025 WL  
28 244087 at \*7; *Delkash v. Noem*, 2025 WL 2683988, \*5-7 (C.D. Cal. Aug. 28, 2025).

1  
2 **III. CONCLUSION**

3 For these reasons, as well as those specified in the initial moving papers, Petitioner  
4 respectfully asks this Court to order his immediate release from custody.  
5

6  
7 DATED: January 6, 2026

Respectfully submitted,

8 /s/ Anna Darbinian

9 Anna Darbinian, Esq.

10 Attorney for Petitioner

11 Email: ad@asherson.net  
12  
13

14 **TABLE OF EXHIBITS**

15 Exhibit E: Declaration of Anna Darbinian re: Interview

16 Exhibit F: Declaration of Anna Darbinian re: Deportation Officer Perez  
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Agency File No. 

**DECLARATION OF ANNA  
DARBINIAN REGARDING  
INTERVIEW**

17 I, Anna Darbinian, hereby declare as follows:

- 18
- 19 1. My name is Anna Darbinian. I am an attorney licensed in the State of California,  
20 and I am counsel of record for Zhilbert Khachikian in the instant Petition for Writ  
21 of Habeas Corpus.
  - 22 2. I submit the following to address and correct the factual assertions regarding the  
23 circumstances of Mr. Khachikian's detention and the purported opportunity to  
24 respond to the alleged grounds of revocation.
  - 25 3. The claim by Deportation Officer R. Romero that an "initial informal interview"  
26 was conducted to afford Mr. Khachikian an opportunity to respond to the alleged  
27 grounds for revocation is inconsistent with the record.
  - 28 4. Mr. Khachikian was detained on November 16, 2025, not November 17, 2025, and  
no such interview providing a genuine or meaningful opportunity to respond

1 occurred on November 16 or the 17th as alleged in the declaration provided by  
2 Deportation Officer Salvador Perez, Jr.

3 5. Accordingly, any assertion that Mr. Khachikian declined to respond or was  
4 afforded an opportunity to do so is factually inaccurate.

5 6. I spoke with my client on November 16, 2025, and again on November 17, 2025.  
6 During those conversations, Mr. Khachikian advised me that he was never afforded  
7 a meaningful opportunity to discuss, respond to, or rebut the alleged grounds for  
8 revocation, notwithstanding that he expressly requested an explanation for the  
9 revocation. At no point was he provided with the factual or legal basis underlying  
10 the purported revocation.

11 7. Contrary to the officer's assertion, Mr. Khachikian did not state, "I will wait for  
12 my lawyer." Rather, he informed officers that he was represented by counsel and  
13 wished to contact his attorney, a request that was not facilitated at the time. His  
14 statement constituted an invocation of his right to counsel, not a refusal to respond  
15 or a waiver of his right to be heard.

16 8. The record therefore reflects that Mr. Khachikian was deprived of notice of the  
17 allegations against him and a meaningful opportunity to respond, and that the  
18 officer's characterization of both the timing of events and my client's statements is  
19 incorrect.

20 I declare under penalty of perjury under the laws of the United States of America that the  
21 foregoing is true and correct to the best of my knowledge.  
22  
23

24 DATED: January 6, 2026

/s/ Anna Darbinian

Anna Darbinian, Esq.

Attorney for Petitioner

Email: ad@asherson.net

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17 Agency File No. 

**DECLARATION OF ANNA  
DARBINIAN REGARDING  
COMMUNICATIONS WITH  
DEPORTATION OFFICER PEREZ**

18 I, Anna Darbinian, hereby declare as follows:

- 19 1. My name is Anna Darbinian. I am an attorney licensed in the State of California,  
20 and I am counsel of record for Zhilbert Khachikian in the instant Petition for Writ  
21 of Habeas Corpus.
- 22 2. On November 24, 2025, I had a telephone conversation with Deportation Officer  
23 Salvador Perez, Jr. ("DO Perez"). During that call, DO Perez stated that he had  
24 recently returned from escorting another detainee on a removal trip and that he had  
25 only just been assigned Mr. Khachikian's case.
- 26 3. I told DO Perez that I represented Mr. Khachikian and requested that all  
27 communications and any documentation intended for Mr. Khachikian be directed  
28

1 to me as counsel of record. DO Perez acknowledged my representation and stated  
2 that he would comply with that request.

- 3 4. Despite this acknowledgment, I did not receive any documents from DO Perez, nor  
4 did he contact me again following our November 24, 2025, conversation. I first  
5 learned through my review of DO Perez's declaration submitted in this matter that  
6 on December 8, 2025, Enforcement and Removal Operations allegedly requested  
7 that Mr. Khachikian complete Form I-217, Information for Travel Document or  
8 Passport.
- 9 5. No copy of that form was provided to me, and I was not notified that such a  
10 request had been made, notwithstanding my prior instruction that all  
11 documentation be communicated through counsel.
- 12 6. Upon information from my client, he advised he was not provided the documents  
13 and that any communication he had asked with counsel was not granted, despite  
14 DO Perez's assurance that all communication and any documentation would be  
15 directed through me.
- 16 7. Any assertion that Mr. Khachikian refused to cooperate is therefore inaccurate.  
17 The record reflects that Mr. Khachikian was allegedly presented with Form I-217  
18 without notice to or involvement of counsel, despite a valid appearance on file and  
19 an express assurance from DO Perez that documentation would be directed through  
20 me.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct to the best of my knowledge.

23  
24 DATED: January 6, 2026

/s/ Anna Darbinian

Anna Darbinian, Esq.

Attorney for Petitioner

Email: ad@asherson.net