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**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GURDEEP SINGH

Petitioner,

v.

JEREMY CASEY, Warden of the Imperial
Regional Detention Center; TODD LYONS,
Acting Director of Immigration and Customs
Enforcement; KRISTI NOEM, Secretary of the
U.S. Department of Homeland Security; PAMELA
BONDI, Attorney General of the United States

Respondents.

Civil Action No. '25CV3758 AGS BLM

**VERIFIED PETITION FOR
HABEAS CORPUS**

INTRODUCTION

1. Petitioner, Singh is being unlawfully detained by Respondents and deprived of release on bond. Petitioner was born in India and entered the United States on December 29, 2023. He entered the U.S. without inspection and was briefly detained by Department of Homeland Security (“DHS”) based on a Form I-200 Warrant for Arrest of Alien. Petitioner was released by DHS on an Order of Release on Recognizance (“ROR”). The conditions of release required Petitioner to be placed on Alternative to Detention (“ATD”) monitoring and mandated that Petitioner check in with Immigration and Customs Enforcement (“ICE”).

1 2. The conditions of release required Petitioner to comply with all terms and conditions of
2 release, which Petitioner fully satisfied.

3 3. On the same date, DHS served Petitioner with a Notice to Appear (“NTA”) which
4 designated him as “an alien present in the United States who has not been admitted or paroled” and
5 charged him with removability pursuant to section 212(a)(6)(A)(i) of the Immigration and Nationality
6 Act as an “alien present in the United States without being admitted or paroled, or who arrived in the
7 United States at any time or place other than as designated by the Attorney General.”

8 4. Following his release from detention, Petitioner timely filed a Form I-589, Application
9 for Asylum with the immigration court. Petitioner also obtained gainful employment and complied all
10 the conditions of his release. Petitioner has no criminal history. Nonetheless, ICE detained Petitioner
11 on October 29, 2025.

12 5. Petitioner is subject to pre-final order of removal detention under 8 U.S.C. § 1226(a).
13 Noncitizens detained under section 1226(a) are subject to discretionary detention and can request a
14 change in custody redetermination (i.e. bond hearing) with an Immigration Judge (“IJ”). However, on
15 July 8, 2025, DHS issued an internal Interim Guidance (“Policy”) that took the baseless position that—
16 contrary to statutory principles and governing case law—noncitizens like Petitioner who entered the
17 United States without permission or parole are subject to mandatory detention under 8 U.S.C. § 1225(b)
18 instead of discretionary detention under section 1226(a). On September 5, 2025, the Board of
19 Immigration Appeals (“BIA”) issued a decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA
20 2025) that sided with DHS’ position.

21 6. DHS’ contention that Petitioner is subject to mandatory detention under 8 U.S.C. §
22 1225(b) is without merit. DHS’ Policy has upended decades of DHS’ own interpretation of bond
23 eligibility under sections 1226(a) and 1225(b). The vast majority of district courts across the country
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1 that has addressed this issue have rejected DHS' arguments and found that it violates the INA and
2 noncitizens' due process rights.

3 7. Notwithstanding DHS's July 8, 2025 Interim Guidance and the Board's decision in
4 *Matter of Yajure Hurtado*, Petitioner is eligible for release on bond under controlling federal court
5 authority. In *Bautista-Maldonado v. DHS*, (C.D. Cal.), the district court squarely rejected DHS's
6 attempt to reclassify noncitizens like Petitioner—who are in pre-final-order removal proceedings—as
7 subject to mandatory detention under 8 U.S.C. § 1225(b). The court held that such individuals are
8 properly detained, if at all, under 8 U.S.C. § 1226(a) and therefore are entitled to a bond hearing before
9 an Immigration Judge. Because Petitioner is detained under § 1226(a), continued detention without
10 access to bond is unlawful, and Petitioner is statutorily eligible for release on bond pending the
11 resolution of his removal proceedings.
12
13

14 8. For the foregoing reasons, the Court should grant habeas relief and direct Respondents
15 to release Petitioner.
16

17 JURISDICTION

18 9. This action arises under the Constitution of the United States and the INA, 8 U.S.C.
19 § 1101 *et seq.*

20 10. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28
21 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension
22 Clause).
23

24 11. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et seq.*,
25 the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.
26

27 VENUE

28 12. Venue is proper because Petitioner is detained in California City Correctional Facility,

1 which is within the jurisdiction of this District. Venue is also proper in this District because
2 Respondents are officers, employees, or agencies of the United States. *See* 28 U.S.C. § 1391(e).

3 **PARTIES**

4 13. Respondent Jeremy Casey is sued in his official capacity as Warden of the Imperial
5 Regional Detention Center. Respondent Casey is the physical custodian of Petitioner.
6

7 14. Respondent Todd Lyons is sued in his official capacity as the Acting Director of U.S.
8 Immigration and Customs Enforcement. Respondent Lyons is a legal custodian of Petitioner and has authority
9 to release him.

10 15. Respondent Kristi Noem is sued in her official capacity as the Secretary of the U.S. Department
11 of Homeland Security. In this capacity, Respondent Noem is responsible for the implementation and enforcement
12 of the INA, and oversees ICE, the component agency responsible for Petitioner’s detention and custody.
13 Respondent Noem is a legal custodian of Petitioner.
14

15 16. Respondent Pamela Bondi is sued in her official capacity as the Attorney General of the United
16 States and the senior official of the U.S. Department of Justice. In that capacity, she has the authority to
17 adjudicate removal cases and to oversee the Executive Office for Immigration Review (“EOIR”), which
18 administers the immigration courts and the BIA. Respondent Bondi is a legal custodian of Petitioner.
19

20 **STATEMENT OF FACTS**

21 17. Petitioner was born in India and entered the United States on December 29, 2023. He
22 entered the U.S. without inspection and was briefly detained by Department of Homeland Security
23 (“DHS”) based on a Form I-200 Warrant for Arrest of Alien. *See* Ex. A, Notice to Appear.

24 18. Petitioner was released by DHS on an Order of Release on Recognizance (“ROR”). *See*
25 Ex. B, Order for ROR. The conditions of release required Petitioner to be placed on Alternative to
26 Detention (“ATD”) monitoring and mandated that Petitioner check in with Immigration and Customs
27 Enforcement (“ICE”). *See* Ex, B, ROR.
28

1 19. On the same date, DHS served Petitioner with a Notice to Appear (“NTA”) which
2 designated him as “an alien present in the United States who has not been admitted or paroled” and
3 charged him with removability pursuant to section 212(a)(6)(A)(i) of the Immigration and Nationality
4 Act as an “alien present in the United States without being admitted or paroled, or who arrived in the
5 United States at any time or place other than as designated by the Attorney General.”
6

7 20. Following his release from detention, Petitioner timely filed a Form I-589, Application
8 for Asylum with the immigration court. Petitioner also obtained gainful employment and complied all
9 the conditions of his ROR. Petitioner has no criminal history. Nonetheless, ICE detained Petitioner
10 unexpectedly during his ICE check in appointment.
11

12 STATUTORY FRAMEWORK

13 21. The INA prescribes three basic forms of detention for noncitizens in removal
14 proceedings. First, 8 U.S.C. § 1226(a) authorizes the detention of noncitizens in standard non-expedited
15 removal proceedings before an IJ. *See* 8 U.S.C. § 1226(a); 8 U.S.C. § 1229a. Individuals in section
16 1226(a) detention are entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§
17 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain
18 crimes are subject to mandatory detention, *see* 8 U.S.C. § 1226(c).
19

20 22. Second, the INA provides for mandatory detention of noncitizens subject to expedited
21 removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under
22 8 U.S.C. § 1225(b)(2).
23

24 23. Finally, the INA also provides for detention of noncitizens who are subject to final
25 orders of removal, including individuals in withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b).
26 The detention provisions at section 1226(a) and 1225(b)(2) were enacted as part of the Illegal
27 Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No. 104-208, Div.
28

1 C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226(c) was most
2 recently amended earlier this year by the Laken Riley Act (“LRA”), Pub. L. No. 119-1, 139 Stat. 3
3 (2025).

4 24. Following enactment of the IIRIRA, the EOIR drafted new regulations explaining that,
5 in general, people who entered the country without inspection were not considered detained under
6 section 1225 and that they were instead detained under section 1226(a). *See* Inspection and Expedited
7 Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum
8 Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997). In the decades that followed, most noncitizens
9 who entered without inspection—unless they were subject to some other detention authority—received
10 bond hearings. This practice was also consistent with the practice prior to the enactment of the IIRIRA,
11 in which noncitizens who were not deemed “arriving” were entitled to a custody hearing before an IJ
12 or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229
13 (1996) (noting that section 1226(a) simply “restates” the detention authority previously found at section
14 1252(a)).
15
16

17 25. On July 8, 2025, DHS issued a memo to all employees of ICE stating that “[t]his
18 message serves as notice that DHS, in coordination with the Department of Justice (DOJ), has revisited
19 its legal position on detention and release authorities. DHS has determined that section 235 of the
20 Immigration and Nationality Act (INA) [8 U.S.C. § 1225], rather than section 236 [8 U.S.C. § 1226],
21 is the applicable immigration detention authority for all applicants for admission. The following interim
22 guidance is intended to ensure immediate and consistent application of the Department’s legal
23 interpretation while additional operational guidance is developed.” The memo further stated DHS’ new
24 position with regard to custody determinations as follows:
25
26

27 An “applicant for admission” is an alien present in the United States who has not been admitted
28 or who arrives in the United States, whether or not at a designated port of arrival. INA §

1 235(a)(1) [8 U.S.C. § 1225(a)(1)]. **Effective immediately, it is the position of DHS that such**
2 **aliens are subject to detention under INA § 235(b) [8 U.S.C. § 1225(b)] and may not be**
3 **released from ICE custody except by INA § 212(d)(5) parole.** These aliens are also ineligible
4 for a custody redetermination hearing (“bond hearing”) before an immigration judge and may
5 not be released for the duration of their removal proceedings absent a parole by DHS. For
6 custody purposes, these aliens are now treated in the same manner that “arriving aliens” have
7 historically been treated. **The only aliens eligible for a custody determination and release**
8 **on recognizance, bond, or other conditions under INA § 236(a) [8 U.S.C. § 1226(a)] during**
9 **removal proceedings are aliens admitted to the United States and chargeable with**
10 **deportability under INA § 237, with the exception of those subject to mandatory detention**
11 **under INA § 236(c) [8 U.S.C. § 1226(c)].**

12 Moving forward, ICE will not issue Form I-286, Notice of Custody Determination, to applicants
13 for admission because Form I-286 applies by its terms only to custody determinations under
14 INA § 236 and part 236 of Title 8 of the Code of Federal Regulations. With a limited exception
15 for certain habeas petitioners, on which the Office of the Principal Legal Advisor (OPLA) will
16 individually advise, if Enforcement and Removal Operations (ERO) previously conducted a
17 custody determination for an applicant for admission still detained in ICE custody, ERO will
18 affirmatively cancel the Form I-286.

19 See [https://www.aila.org/ice-memo-interim-guidance-regarding-detention-authority-for-](https://www.aila.org/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission)
20 [applications-for-admission](https://www.aila.org/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission) (last accessed October 18, 2025) (emphasis original).

21 26. As a result, DHS now considers all noncitizens who have entered the United States
22 without inspection and are subject to the grounds of inadmissibility, including long-time U.S. residents,
23 to be subject to mandatory detention under section 1225(b) and ineligible for release on bond.
24 Conversely, according to DHS “[t]he only aliens eligible for a custody determination and release on
25 recognizance, bond, or other conditions under INA § 236(a) [8 U.S.C. § 1226(a)] during removal
26 proceedings are aliens admitted to the United States and chargeable with deportability under INA §
27 237, with the exception of those subject to mandatory detention under INA § 236(c) [8 U.S.C. §
28 1226(c)].” *Id.*

29 27. On September 5, 2025, the BIA issued a decision in *Matter of Yajure Hurtado*, 29 I&N
30 Dec. 216 (BIA 2025) holding that, based on the plain language of section 1225(b)(2)(A), IJs lack
31 authority to hear bond requests or to grant bond to aliens who are present in the United States without
32 admission.

Violation of Fifth Amendment Right to Substantive Due Process

1
2 30. The allegations in the above paragraphs are realleged and incorporated herein.

3 31. Petitioner is challenging DHS' unlawful custody determination that Petitioner is subject
4 to detention under 8 U.S.C. § 1225(b) and is ineligible for bond and his continued detention under the
5 automatic stay provision at 8 C.F.R. § 1003.19(i)(2), which violates Petitioner's right to substantive
6 due process of law afforded him through the Fifth Amendment to the United States Constitution.
7

8 32. The Fifth Amendment provides in pertinent part: "No person shall be . . . deprived of
9 life, liberty, or property, without due process of law[.]" U.S. Const. amend. V. "Freedom from
10 imprisonment—from government custody, detention, or other forms of physical restraint—lies at the
11 heart of the liberty that Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
12

13 33. Petitioner is clearly detained pursuant to 8 U.S.C. § 1226(a) and is eligible for release
14 on bond. Petitioner is not subject to mandatory detention under 8 U.S.C. § 1225(b). Respondents have
15 violated Petitioner's due process rights under the Fifth Amendment by detaining him without the
16 possibility of release on bond.
17

18 34. As a remedy, the Court should order him released from detention, or alternatively direct
19 that an IJ hold a constitutionally adequate bond hearing.

20 **COUNT TWO**

21 **Violation of Petitioner's Procedural Due Process Rights**

22 35. The allegations in the above paragraphs are realleged and incorporated herein.
23

24 36. In *Mathews v. Eldridge*, the U.S. Supreme Court set forth the factors to consider in
25 determining if government action deprives an individual's Fifth Amendment right to procedural due
26 process or whether the government process is constitutionally adequate. 424 U.S. 319 (1976) The
27 *Mathews* factors are as follows: First, the private interest that will be affected by the official action;
28

1 [S]econd, the risk of an erroneous deprivation of such interest through the procedures used, and the
2 probable value, if any, of additional or substitute procedural safeguards; [Third], the Government's
3 interest, including the function involved and the fiscal and administrative burdens that the additional
4 or substitute procedural requirement would entail. *Id.* at 335.

5
6 37. As to the private interest factor, it is the "most elemental of liberty interests." *Hamdi v.*
7 *Rumsfeld*, 542 U.S. 507, 529 (2004). Petitioner has perhaps the most acute private interest known to
8 personkind short of life itself: bodily freedom.

9
10 38. With respect to the second factor, erroneous deprivation of Petitioner's liberty is at risk.
11 Petitioner is not subject to detention under 8 U.S.C. § 1225(b) as DHS claims. As to the third factor,
12 there is no significant governmental interest in continuing to hold Petitioner in custody, particularly
13 because an IJ has already found that Petitioner has satisfied his burden that he is not a danger to the
14 community or risk of flight when it released him on ROR, and he has no criminal history or violations
15 of the conditions of his release.

16
17 **COUNT THREE**

18 **Violation of the Immigration and Nationality Act**

19 39. The allegations in the above paragraphs are realleged and incorporated herein.

20 40. Application of 8 U.S.C. § 1225(b) to Petitioner is a violation of the INA because he is
21 instead subject to discretionary detention under 8 U.S.C. § 1226(a). This deprives noncitizens like
22 Petitioner of the right to a bond hearing that they are statutorily eligible for and eliminates the authority
23 of the IJ to determine who can be released on bond.
24

25 **PRAYER FOR RELIEF**

26 Wherefore, Petitioner requests this Court to grant the following:

- 27
28 1. Assume jurisdiction over this matter;

2. Enjoin Respondents from transferring Petitioner during the pendency of the instant action;
3. Declare that Petitioner's continued detention violates the Immigration and Nationality Act, 8 U.S.C. § 1226(a); and/or the Fifth Amendment to the U.S. Constitution;
4. Order Petitioner released from detention;
5. Grant Equal Access to Justice Act ("EAJA") fees and costs; and
6. Grant any other further relief this Court deems just and proper.

Respectfully,


Gurpreet Kaur, Esq.

Law Office of Gurpreet Kaur

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Ventura, CA 93003

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Fax: 805-716-6100

E-mail: gurpreetkauresq@gmail.com

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, and I submit this verification on his behalf. Because Petitioner is detained at the California City Correctional Facility and immediate relief is sought, counsel verifies this petition on his behalf pursuant to 28 U.S.C. § 2242. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 24th day of December, 2025.



Gurpreet Kaur, Esq.

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**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GURDEEP SINGH

Petitioner,

v.

JEREMY CASEY, Warden of the Imperial
Regional Detention Center; TODD LYONS,
Acting Director of Immigration and Customs
Enforcement; KRISTI NOEM, Secretary of the
U.S. Department of Homeland Security; PAMELA
BONDI, Attorney General of the United States

Respondents.

Civil Action No. '25CV3758 AGS BLM

**DECLARATION OF GURPREET
KAUR, ESQ. IN SUPPORT OF
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

**DECLARATION OF GURPREET KAUR, ESQ. IN SUPPORT OF MOTION FOR
INJUNCTIVE RELIEF**

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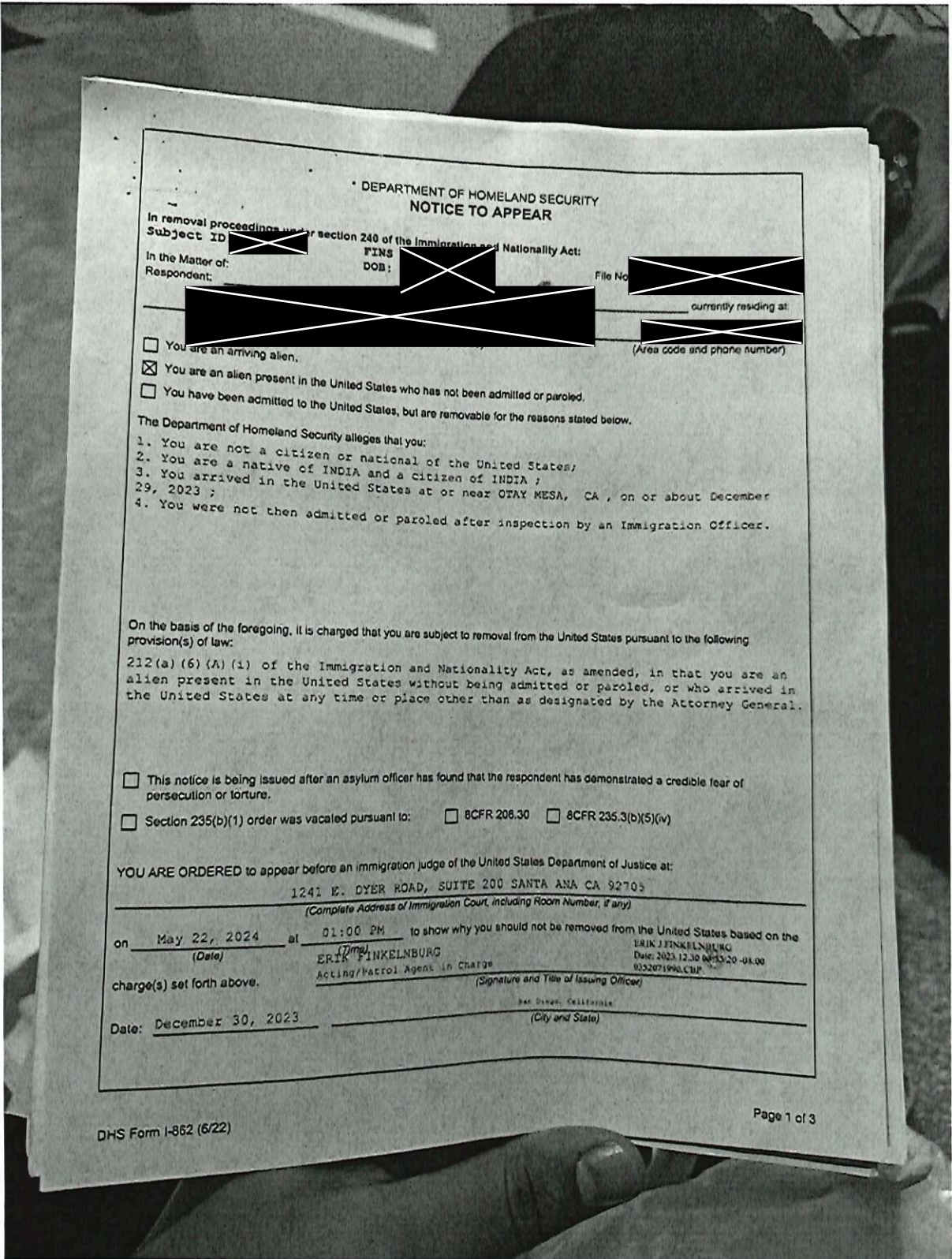
I, Gurpreet Kaur, Esq., declare under penalty of perjury as follows:

1. I am the attorney for Petitioner in the above-captioned matter. I make this declaration in support of the Motion for Temporary Restraining Order and Preliminary Injunction.
2. Attached hereto as Exhibit A is a true and accurate copy of the Notice to Appear
3. Attached hereto as Exhibit B is a true and accurate copy of the Order of Release.

Dated this 24th day of December, 2025.

Gurpreet Kaur, Esq.

A



DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:
Subject ID: [REDACTED]

In the Matter of: Respondent: [REDACTED] FINS: [REDACTED] DOB: [REDACTED]

File No: [REDACTED]

[REDACTED] currently residing at: [REDACTED]
(Area code and phone number)

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

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of INDIA and a citizen of INDIA ;
3. You arrived in the United States at or near OTAY MESA, CA , on or about December 29, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

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:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- 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: 8CFR 208.30 8CFR 235.3(b)(5)(v)

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

1241 E. DYER ROAD, SUITE 200 SANTA ANA CA 92705

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

on May 22, 2024 at 01:00 PM to show why you should not be removed from the United States based on the

charge(s) set forth above.

ERIK FINKELNBURG
Acting/Patrol Agent in Charge

ERIK J FINKELNBURG
Date: 2023.12.30 09:13:20 -08:00
0352071990.CBP

(Signature and Title of Issuing Officer)

Date: December 30, 2023

San Diego, California

(City and State)

B

U.S. Department of Homeland Security

Order of Release on Recognizance

Name: GURDEEP SINGH SINGH

File No: [Redacted]
Date: [Redacted]
Event: [Redacted]

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.

You must surrender for removal from the United States if so ordered.

You must report in (WAFHRE) (person) to AS INDICATED ON THE ATTACHED OREC C-56
at _____ on _____ at _____
(Location of DHS Office) (Day of each week or month) (Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

You must not change your place of residence without first securing written permission from the immigration officer listed above.

You must not violate any local, State, or Federal laws or ordinances.

You must assist the Department of Homeland Security in obtaining any necessary travel documents.

Other: _____

See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.

ERIK J FINKELNBURG
Date: 2023.12.30 09:55:35 AM
0352071990.CBP

(Signature of DHS Official)

ERIK FINKELNBURG
Acting/Patrol Agent in Charge

(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the PUNJABI language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

KELTON BAJO
Date: 2023.12.30 09:52:41 -08:00
0301163751.CBP

(Signature of Immigration Officer Serving Order)

Gurdeep Singh
(Signature of Alien)

12/30/2023
(Date)

Cancellation of Order

I hereby cancel this order of release because: The alien failed to comply with the conditions of release.
 The alien was taken into custody for removal.

(Signature of Immigration Officer Canceling Order)

(Date)

U.S. Department of Homeland Security

Order of Release on Recognizance

Name: GURDEEP SINGH SINGH

File No. [Redacted]
Date: [Redacted]
Event: [Redacted]

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.
- You must surrender for removal from the United States if so ordered.
- You must report in (writing) (person) to AS INDICATED ON THE ATTACHED OIEC G-66 at _____ on _____ at _____
(Location of DHS Office) (Day of each week or month) (Time)
If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.
- You must not change your place of residence without first securing written permission from the immigration officer listed above.
- You must not violate any local, State, or Federal laws or ordinances.
- You must assist the Department of Homeland Security in obtaining any necessary travel documents.
- Other: _____

See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.

ERIK J FINKELNBURG
Date: 2023.12.30 08:55:35 -08:00
0252071990.CBP

(Signature of DHS Official)
ERIK FINKELNBURG
Acting/Patrol Agent in Charge
(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the PUNJABI language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

KELTON BAJO
KELTON BAJO
Date: 2023.12.30 09:07:31 -08:00
0201363721.CBP
(Signature of Immigration Officer Serving Order)

Gurdeep Singh
(Signature of Alien)

12/30/2023
(Date)

Cancellation of Order

I hereby cancel this order of release because: The alien failed to comply with the conditions of release.

The alien was taken into custody for removal.

(Signature of Immigration Officer Canceling Order)

(Date)

Form I-220A (Rev. 08/01/07) N

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

Under section 240 of the Immigration and Nationality Act

A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal Subject: [Redacted] section 240 of the Immigration and Nationality Act:
In the Matter of: FINS
Respondent: DOB: [Redacted] File No: [Redacted]
Event No: BWP2412000639
GURDEEP SINGH SINGH
[Redacted] currently residing at: [Redacted]

- You are a returning alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:
1. You are not a citizen or national of the United States;
2. You are a native of INDIA and a citizen of INDIA ;
3. You arrived in the United States at or near OTAY MESA, CA , on or about December 29, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

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:
212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- 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: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
1241 E. DYER ROAD, SUITE 200 SANTA ANA CA 92705
(Complete Address of Immigration Court, including Room Number, if any)

on May 22, 2024 at 01:00 PM to show why you should not be removed from the United States based on the charge(s) set forth above.
(Date) (Time)
ERIK FINKELNBURG
Acting/Patrol Agent in Charge
(Signature and Title of Issuing Officer)

Date: December 30, 2023
San Diego, California
(City and State)