


1 Brian J. McGoldrick (California #169104)
2 Counsel for the Petitioner
3 4916 Del Mar Avenue
4 San Diego, CA 92107
5 (619) 675-2366
6 attorney@brianmcgoldrick.com

7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 KOMRON MARUFOVICH AKILOV,
10 Plaintiff,

Case No.: '25CV3831 JLS BJW

11 vs.

Agency Number: A 

12 CHRISTOPHER LAROSE, warden of
13 Otay Mesa Detention Center
14 DANIEL A. BRIGHTMAN, San Diego
15 Field Office Director, Immigration and
16 Customs Enforcement and Removal
17 Operations ("ICE/ERO");
18 TODD LYONS, Acting Director of
19 Immigration Customs Enforcement
20 ("ICE");
21 KRISTI NOEM, Secretary of the
22 Department of Homeland Security
23 ("DHS");
24 PAMELA BONDI, Attorney General of
the United States,
U.S. DEPARTMENT OF HOMELAND
SECURITY;
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT;

PETITION FOR WRIT OF HABEUS
CORPUS

ORAL ARGUMENT REQUESTED

EXPEDITED HEARING
REQUESTED

25 Respondents.

26
27
28 PETITION FOR WRIT OF HABEUS CORPUS ORAL ARGUMENT REQUESTED EXPEDITED HEARING
REQUESTED - 1

INTRODUCTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. Tajikistan is a former Soviet Republic which has suffered serious erosion of human rights and religious freedoms. Recent U.S. State Department Reports claim that home prayer meetings are banned, teaching of religion can be a crime, many have been imprisoned for their religious beliefs¹.

2. Petitioner, Komron Marufovich Akilov, is an ethnic Uzbek from Tajikistan. Several years ago Mr. Akilov decided to embrace his religious roots. He studied Islam, began to wear a beard and observe the daily prayers. In Tajikistan, just wearing a beard leads the authorities to assume you are a religious extremist and, therefore, a threat to the state. Mr. Akilov began to experience severe persecution because of this assumption and became afraid for his life. In 2023 he left Tajikistan with the hopes of coming to America where he would be free to express his religious beliefs.

3. Mr. Akilov eventually made his way to Mexico and waited for an appointment via the CBP One app to request entry into the United States. On August 14, 2023 Mr. Akilov came to the Port of Entry at San Ysidro, California pursuant to his CBP One appointment. He was initially detained and granted a

¹ Tajikistan: 2023 International Religious Freedom, US State Department.

1 Credible Fear Interview. *See* Exhibit A. It was determined that Mr. Akilov did
2 have a credible fear of future persecution. It was also determined by respondents
3 that he was not a flight risk and not a threat to the community and was released by
4 respondents on parole on September 25, 2025. *Id.*

5
6
7 4. Respondents commenced removal proceedings against him in
8 immigration court upon his parole. However, on January 31, 2024, an immigration
9 judge granted a motion to terminate because he had been granted humanitarian
10 parole. This allowed petitioner to file his asylum case with USCIS, to obtain work
11 authorization and proceed with his quest for asylum without any further
12 involvement of EOIR.
13
14

15 5. On February 6, 2025, petitioner was walking toward his car when,
16 without notice, and without cause, he was surrounded by agents, handcuffed and
17 put in detention. He was not told why he was arrested. He was not told what law he
18 had violated. He was not advised of his Miranda rights. He was simply shackled
19 and transported to the Otay Mesa facility detention facility. He was subsequently
20 served with a new Notice to Appear which has commenced a new 240 removal
21 proceedings.
22
23
24

25 6. One of the benefits that petitioner enjoyed with parole and filing an
26 affirmative application with USCIS is that he effectively gets two chances to file
27

1 for asylum. One with USCIS and, if that is not successful, another *de novo*, chance
2 with a defensive application while in removal. This is a huge benefit for the
3 petitioner. Yet, in a deceptive sleight of hand Respondents now seek to eject Mr.
4 Akilov from his own asylum case, detain him, force him to seek only defensive
5 asylum and to remain in custody for that entire process. Respondents do so based
6 not on Mr. Akilov's personal circumstances or individualized facts, nor due to any
7 mistake made by previously dismissing his 240 removal proceedings, but because
8 of Respondents' interpretation of President Trump's whim and categorical
9 determination that, the Fifth Amendment notwithstanding, noncitizens are not
10 entitled to due process.
11
12
13
14

15 7. But Respondents cannot evade the law so easily. The U.S.
16 Constitution requires the Respondents provide at least the rights available to him
17 when he was granted Parole and when he filed his application for asylum².
18

19 8. Accordingly, to vindicate Petitioner's rights, this Court should grant
20 the instant petition for a writ of habeas corpus. Mr. Akilov asks this Court to find
21

22
23
24
25 ² See, e.g., NBC News, Meet the Press interview of President Donald Trump (May 4, 2025),
26 <https://www.nbcnews.com/politics/trump-administration/read-full-transcript-president-donaldtrump-interviewed-meet-press-mod-rcna203514> (in response to a question whether noncitizens
27 deserve due process under the Fifth Amendment, President Trump replied "I don't know. It
28 seems—it might say that, but if you're talking about that, then we'd have to have a million or 2
million or 3 million trials.").

1 that Respondents' attempt to detain him are arbitrary and capricious and in
2 violation of the law, and to immediately issue an order preventing his transfer out
3 of this district.
4

5 JURISDICTION

6
7 9. This action arises under the Constitution of the United States and
8 the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et. seq.

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

13
14 11. This Court may grant relief under the habeas corpus statutes, 28
15 U.S.C. § 2241 et. seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et. seq.,
16 the All Writs Act, 28 U.S.C. § 1651, and the Immigration and Nationality Act, 8
17 U.S.C. § 1252(e)(2).
18

19 VENUE

20
21 12. Venue is proper because Petitioner is in Respondents' custody in
22 San Diego, California. Venue is further proper because a substantial part of the
23 events or omissions giving rise to Petitioner's claims occurred in this District,
24 where Petitioner is now in Respondent's custody. 28 U.S.C. § 1391(e).
25
26
27

1 13. For these same reasons, divisional venue is proper under Local
2 Rule HC.1


3
4 **REQUIREMENTS OF 28 U.S.C. §§ 2241, 2243**

5 14. The Court must grant the petition for writ of habeas corpus or
6 issue an order to show cause (OSC) to the Respondents “forthwith,” unless the
7 petitioner is not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court
8 must require Respondents to file a return “within three days unless for good cause
9 additional time, not exceeding twenty days, is allowed.” *Id.*

10
11
12 15. Courts have long recognized the significance of the habeas statute
13 in protecting individuals from unlawful detention. The Great Writ has been
14 referred to as “perhaps the most important writ known to the constitutional law of
15 England, affording as it does a swift and imperative remedy in all cases of illegal
16 restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963).

17
18
19 16. Petitioner is “in custody” for the purpose of § 2241 because he is
20 arrested and detained by Respondents.

21
22 **PARTIES**

23 17. Komon Marufovich Akilov (“Petitioner”) is a 23-year-old citizen
24 of Afghanistan born . He is a resident of San Diego, California,

1 and is present within the state of California as of the time of the filing of this
2 petition.
3

4 18. Respondent Christopher Larosse is the Warden of the Otay Mesa
5 Detention Center and is a legal custodian of Petitioner.
6

7 19. Respondent Daniel A. Brightman is the Field Office Director for
8 the San Diego Field Office, Immigration and Customs Enforcement and Removal
9 Operations (“ICE”). The San Diego Field Office is responsible for local custody
10 decisions relating to non-citizens charged with being removable from the United
11 States, including the arrest, detention, and custody status of non- citizens. The San
12 Diego Field Office’s area of responsibility includes San Diego, California and the
13 Diego Field Office’s area of responsibility includes San Diego, California and the
14 Otay Mesa Detention Center. Respondent Sidney Aki is a legal custodian of
15 Petitioner.
16
17

18 20. Respondent Todd Lyons is the acting director of U.S. Immigration
19 and Customs Enforcement, and he has authority over the actions of respondent
20 Sidney Aki and ICE in general. Respondent Lyons is a legal custodian of
21 Petitioner.
22

23 21. Respondent Kristi Noem is the Secretary of the Department of
24 Homeland Security (DHS) and has authority over the actions of all other DHS
25 Respondents in this case, as well as all operations of DHS. Respondent Noem is a
26
27

1 legal custodian of Petitioner and is charged with faithfully administering the
2 immigration laws of the United States.
3

4 22. Respondent Pamela Bondi is the Attorney General of the United
5 States, and as such has authority over the Department of Justice and is charged
6 with faithfully administering the immigration laws of the United States.
7

8 23. Respondent U.S. Immigration Customs Enforcement is the federal
9 agency responsible for custody decisions relating to non-citizens charged with
10 being removable from the United States, including the arrest, detention, and
11 custody status of non-citizens.
12

13 24. Respondent U.S. Department of Homeland Security is the federal
14 agency that has authority over the actions of ICE and all other DHS Respondents.
15

16 25. This action is commenced against all Respondents in their official
17 capacities.
18

19
20
21 **LEGAL FRAMEWORK**

22 26. The Refugee Act of 1980, the cornerstone of the U.S. asylum
23 system, provides a right to apply for asylum to individuals seeking safe haven in
24 the United States. The purpose of the Refugee Act is to enforce the “historic policy
25 of the United States to respond to the urgent needs of persons subject to
26
27

1 persecution in their homelands.” Refugee Act of 1980, § 101(a), Pub. L. No. 96-
2 212, 94 Stat. 102 (1980).

3
4 27. The “motivation for the enactment of the Refugee Act” was the
5 United Nations Protocol Relating to the Status of Refugees, “to which the United
6 States had been bound since 1968.” *INS v. Cardoza-Fonseca*, 480 U.S. 421, 424,
7 432-33 (1987). The Refugee Act reflects a legislative purpose “to give ‘statutory
8 meaning to our national commitment to human rights and humanitarian concerns.’”
9
10 *Duran v. INS*, 756 F.2d 1338, 1340 n.2 (9th Cir. 1985).

11
12 28. The Refugee Act established the right to apply for asylum in the
13 United States and defines the standards for granting asylum. It is codified in
14 various sections of the INA.

15
16 29. The INA gives the Attorney General or the Secretary of Homeland
17 Security discretion to grant asylum to noncitizens who satisfy the definition of
18 “refugee.” Under that definition, individuals generally are eligible for asylum if
19 they have experienced past persecution or have a well-founded fear of future
20 persecution on account of race, religion, nationality, membership in a particular
21 social group, or political opinion and if they are unable or unwilling to return to
22 and avail themselves of the protection of their homeland because of that
23 persecution of fear. 8 U.S.C. § 1101(a)(42)(A).

1 30. Although a grant of asylum may be discretionary, the right to
2 apply for asylum is not. The Refugee Act broadly affords a right to apply for
3 asylum to any noncitizen “who is physically present in the United States or who
4 arrives in the United States[.]” 8 U.S.C. § 1158(a)(1).
5

6 31. Because of the life-or-death stakes, the statutory right to apply for
7 asylum is robust. The right necessarily includes the right to counsel, at no expense
8 to the government, see 8 U.S.C. § 1229a(b)(4)(A), § 1362, the right to notice of the
9 right to counsel, see 8 U.S.C. § 1158(d)(4), and the right to access information in
10 support of an application, see § 1158(b)(1)(B) (placing the burden on the applicant
11 to present evidence to establish eligibility).
12
13
14

15 32. Noncitizens seeking asylum are guaranteed Due Process under the
16 Fifth Amendment to the U.S. Constitution. *Reno v. Flores*, 507 U.S. 292, 306
17 (1993).
18


19 33. Noncitizens who are applicants for asylum are entitled to a full
20 hearing in immigration court before they can be removed from the United States. 8
21 U.S.C. § 1229a. Consistent with due process, noncitizens may seek administrative
22 appellate review before the Board of Immigration Appeals of removal orders
23 entered against them and judicial review in federal court upon a petition for
24 review. 8 U.S.C. § 1252(a) *et seq.*
25
26
27



1 34. Immigration detention is a form of civil confinement that
2 “constitutes a significant deprivation of liberty that requires due process
3 protection.” *Addington v. Texas*, 441 U.S. 418, 4253 (1979).
4

5 35. Immigration detention should not be used as a punishment and
6 should only be used when, under an individualized determination, a noncitizen is a
7 flight risk because they are unlikely to appear for immigration court or a danger to
8 the community. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
9
10

11 36. Parole must be terminated upon written notice after an
12 individualized determination that the humanitarian purposes no longer apply. 8
13 C.F.R. § 212.5(e)(2)(i).
14

15
16 **FACTUAL BACKGROUND**
17

18 37. Petitioner is a citizen of Tajikistan. He was born 
19 in Tajikistan.
20

21 38. Petitioner was threatened with death in Tajikistan by 
22 
23

24 39. On or about August 14, 2023, pursuant to an invitation from the
25 U.S. Government via the CBP One application, Petitioner came to the port of entry
26 San Ysidro, California to seek asylum. On September 25, 2023, Respondents
27

1 granted him humanitarian parole and released him into the United States, based on
2 the individualized facts in his case, under 8 U.S.C. § 1182(d)(5) and released him
3 from custody pursuant to the same statute.
4

5 40. On or about August 25, 2023, Respondents commenced removal
6 proceedings against Petitioner under 8 U.S.C. § 1229a in San Diego, California.
7

8 41. On January 31, 2024, an IJ DaVito granted a motion to terminate
9 his removal proceedings to allow him to pursue his claims affirmatively while he
10 enjoyed his humanitarian parole. The order dismissing case was entered on January
11 31, 2024.
12

13 42. On information and belief, Petitioner regularly complied with and
14 appeared for ICE check-ins.
15

16 43. Petitioner applied for affirmative asylum with USCIS on April 25,
17 2024. The acknowledgement of receipt sent to the petitioner from respondents in
18 paragraph 2 reads “You may remain in the United States until your asylum
19 application is decided.” The next step in his case was to attend an asylum interview
20 with USCIS.
21

22 44. Subsequently, Respondents issued work authorization to Petitioner
23 pursuant to 8 C.F.R. § 274a.12(c)(08).
24
25
26
27

1 45. On February 7, 2025, Mr. Akilov was observed walking to his car.
2 Several agents approached him and arrested him as he was getting into his car. A
3 careful reading of Exhibit A shows that the government did not make a
4 determination that Mr. Akilov was now considered a threat to the community. The
5 government did not make a determination that Mr. Akilov was a flight risk. A
6 careful reading also demonstrates that Mr. Akilov had not committed any crime
7 and was not accused of missing any court dates or any scheduled check ins. The
8 government simply decided to revoke his parole status and deprive him of his
9 liberty for no other reason that this was the beginning of Donald Trump's new
10 stance on immigration.
11
12
13
14

15 46. This act took jurisdiction of his asylum application away from
16 USCIS, basically denying his petition without review or consideration. Mr. Akilov
17 must now begin his asylum application process again while in detention.
18

19 47. Mr. Akilov was never presented with a warrant for his arrest. The
20 ICE agents did not provide him any process. The ICE agents did not offer him any
21 opportunity to be heard prior to arresting and detaining him.
22

23 48. On January 20, 2025, President Donald Trump issued several
24 executive actions relating to immigration, including "Protecting the American
25 People Against Invasion," an executive order (EO) setting out a series of interior
26
27

1 immigration enforcement actions. The Trump administration, through this and
2 other actions, has outlined sweeping, executive branch-led changes to immigration
3 enforcement policy, establishing a formal framework for mass deportation. The
4 “Protecting the American People Against Invasion” EO instructs the DHS
5 Secretary “to take all appropriate action to enable” ICE, CBP, and USCIS to
6 prioritize civil immigration enforcement procedures including through the use of
7 mass detention.
8
9
10

11 49. On information and belief, Respondents are detaining Petitioner
12 regardless of the individual facts and circumstances of his case.
13

14 50. On information and belief, Respondents are using the immigration
15 detention system as a means to punish individuals for asserting rights under the
16 Refugee Act.
17

18 51. On information and belief, Petitioner has no criminal history.
19

20 CLAIMS FOR RELIEF

21 COUNT ONE

22 Violation of Fifth Amendment Right to Due Process

23 Procedural Due Process

24
25 52. Petitioner restates and realleges all paragraphs as if fully set forth
26 here.
27

1 53. The Due Process Clause of the Fifth Amendment to the U.S.
2 Constitution prohibits the federal government from depriving any person of “life,
3 liberty, or property, without due process of law.” U.S. Const. Amend. V. Due
4 process protects “all ‘persons’ within the United States, including [non-citizens],
5 whether their presence here is lawful, unlawful, temporary, or permanent.”
6 *Zadvydas*, 533 U.S. at 693.

9 54. Due process requires that government action be rational and non-
10 arbitrary. *See U.S. v. Trimble*, 487 F.3d 752, 757 (9th Cir. 2007).

12 55. While asylum is a discretionary benefit, the right to apply is not. 8
13 U.S.C. § 1158(a)(1). Any noncitizen who is “physically present in the United
14 States or who arrives in the United States (whether or not at a designated port of
15 arrival . . .), irrespective of such [noncitizen’s] status, may apply for asylum.” *Id.*

18 56. Because the denial of the right to apply for asylum can result in
19 serious harm or death, the statutory right to apply is robust and meaningful. It
20 includes the right to legal representation, and notice of that right, *see id.* §§
21 1229a(b)(4)(A), 1362, 1158(d)(4); the right to present evidence in support of
22 asylum eligibility, *see id.* § 1158(b)(1)(B); the right to appeal an adverse decision
23 to the Board of Immigration Appeals and to the federal circuit courts, *see id.* §§
24
25
26
27

1 1229a(c)(5), 1252(b); and the right to request reopening or reconsideration of a
2 decision determining removability, *see id.* § 1229a(c)(6)-(7).
3

4 57. Applying for asylum with USCIS comes with a particular benefit.
5 It allows the petitioner a second opportunity to file for asylum should USCIS deny
6 the original application. This is a substantial benefit that the respondents initially
7 bestowed upon the petitioner when they agreed to dismiss his initial removal
8 proceedings. The detention of petitioner and refiling of an NTA with no
9 explanation and no apparent rational, other than to put another immigrant in
10 detention was a clear violation of Mr. Akilov’s right to due process.
11
12

13 58. Here, Petitioner was not advised by DHS that they sought to
14 terminate his affirmative application in order to place him in detention and
15 removal, depriving him of the bundle of rights associated with his pending asylum
16 application. Because of his legal interest in his pending asylum application, this
17 violated due process. *See generally Mathews v. Eldridge*, 424 U.S. 319, 333 (1976)
18 (requiring notice and an opportunity to be heard before deprivation of a legally
19 protected interest).
20
21
22

23 **COUNT TWO**

24 **Violation of the Administrative Procedure Act – 5 U.S.C. § 706(2)(A)**

25 **Not in Accordance with Law and in Excess of Statutory Authority**
26
27

Unlawful Detention

1
2 59. Petitioner restates and realleges all paragraphs as if fully set forth
3
4 here.

5 60. Under the APA, a court shall “hold unlawful and set aside agency
6
7 action” that is an abuse of discretion. 5 U.S.C. § 706(2)(A).

8 61. An action is an abuse of discretion if the agency “entirely failed to
9
10 consider an important aspect of the problem, offered an explanation for its decision
11 that runs counter to the evidence before the agency, or is so implausible that it
12 could not be ascribed to a difference in view or the product of agency expertise.”

13
14 *Nat’l Ass’n of Home Builders v. Defs. of Wildlife*, 551U.S. 644, 658 (2007)
15 (*quoting Motor Vehicle Mfrs. Ass’n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*,
16 463 U.S. 29, 43 (1983)).

17
18 62. To survive an APA challenge, the agency must articulate “a
19
20 satisfactory explanation” for its action, “including a rational connection between
21 the facts found and the choice made.” *Dep’t of Com. v. New York*, 139 S. Ct. 2551,
22 2569 (2019) (citation omitted).

23
24 63. By categorically revoking Petitioner’s humanitarian parole and
25
26 transferring him to Otay Mesa Detention Center without consideration of his
27 individualized facts and circumstances, Respondents have violated the APA.

1 process protects “all ‘persons’ within the United States, including [non-citizens],
2 whether their presence here is lawful, unlawful, temporary, or permanent.”

3
4 *Zadvydas*, 533 U.S. at 693; accord *Flores*, 507 U.S. at 306.

5 70. Due process requires that government action be rational and non-
6 arbitrary. See *U.S. v. Trimble*, 487 F.3d 752, 757 (9th Cir. 2007).

7
8 71. While the government has discretion to detain individuals under 8
9 U.S.C. § 1226(a) and to revoke custody decisions under 8 U.S.C. § 1226(b), this
10 discretion is not “unlimited” and must comport with constitutional due process. See
11 *Zadvydas*, 533 U.S. at 698.

12
13
14 72. Here, Respondents have chosen to revoke Petitioner’s release in
15 an arbitrary manner and not based on a rational and individualized determination
16 of whether he is a safety or flight risk, in violation of due process. Because no
17 individualized custody revocation has been made and no circumstances have
18 changed to make Petitioner a flight risk or a danger to the community,
19 Respondents’ revocation of Petitioner’s release violates his right to procedural due
20 process.
21
22

23 ///

24 ///

25 ///

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests this Court to grant the following:

(1) Assume jurisdiction over this matter;

(2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;

(3) Declare that Petitioner’s detention without an individualized determination violates the Due Process Clause of the Fifth Amendment and the Administrative Procedures Act;

(4) Declare that the denial of petitioner’s affirmative asylum claim by detaining him and commencing new 240 removal proceedings without an individualized determination to return him to 240 removal proceedings violates the Due Process Clause of the Fifth Amendment;

(5) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody;

(6) Issue an Order prohibiting the Respondents from transferring Petitioner from the district without the court’s approval;

(7) Issue and Order prohibiting Respondents from enrolling the Petitioner in an Alternative to Detention Program upon his release, in particular

1 requiring an ankle monitor, without a determination before a neutral third party
2 that the Petitioner has been determined to be a flight risk or a danger to the
3 community;
4

5 (8) Grant any further relief this Court deems just and proper.
6
7

8 Dated: December 30, 2025.

/s/ Brian J. McGoldrick
BRIAN J. MCGOLDRICK, ESQ.
CASB # 169104
attorney@brianmgoldrick.com
4916 Del Mar Avenue
San Diego, CA 92107
Telephone: +1 619-675-2366
Attorney for Petitioner

EXHIBIT A

U.S. Department of Homeland Security Subject ID: [REDACTED] Record of Deportable/Inadmissible Alien

Family Name (CAPS) AKILOV, KOMRON MARUFOVICH		First	Middle
Country of Citizenship TAJIKISTAN	Passport Number and Country of Issue See Narrative	File Number [REDACTED]	
U.S. Address [REDACTED] BROOKLYN, NEW YORK, 11230			
Date, Place, Time, and Manner of Last Entry 08/14/2023, SYS, AY - ASYLEE			Passenger Boarded at
Number, Street, City, Province (State) and Country of Permanent Residence [REDACTED] TAJIKISTAN			
Date of Birth [REDACTED]	Age: 23	Date of Action 02/07/2025	Location Code SND/SND
City, Province (State) and Country of Birth DUSHANBE, TAJIKISTAN	AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	
NIV Issuing Post and NIV Number		Social Security Account Name	
Date Visa Issued		Social Security Number	
Immigration Record POSITIVE - See Narrative		Criminal Record None Known	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)			Number and Nationality of Minor Children None
Father's Name, Nationality, and Address, if Known AKILOV, MARUF NATIONALITY: TAJIKISTAN		Mother's Present and Maiden Names, Nationality, and Address, if Known AKILOVA, DILOROM NATIONALITY: TAJIKISTAN	
Monies Due/Property in U.S. Not in Immediate Possession None Claimed	Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Words(s) See Narrative
Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary Hr	Employed from/to

Sex M	Hair BRO	Eyes GRN	Cmplxn LBR
Height 71	Weight 213	Occupation	
Scars and Marks			
FBI Number [REDACTED]	<input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated		
Method of Location/Apprehension NCA 14C			
At/Near See I-831	Date/Hour 02/07/2025 08:20		
By See Narrative			
Status at Entry		Status When Found	
Length of Time Illegality in U.S.			

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)
 PIN: [REDACTED] Left Index fingerprint Right Index fingerprint



Subject Health Status

 The subject claims good health. Cyst on lower back

Current Administrative Charges

 02/07/2025 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA

... (CONTINUED ON I-831)


Alien has been advised of communication privileges 2/7/25 JS (Date/Initials) **J. 9482 SAMANIEGO** (Signature and Title of Immigration Officer)
 Deportation Officer

Distribution:	Received: (Subject and Documents) (Report of Interview)
A-File	Officer: J. 9482 SAMANIEGO
EOIR	on: February 7, 2025 (time)
Records	Disposition: Warrant of Arrest/Notice to Appear
	Examining Officer: JOHNSON, LEONARD

EOIR - 4 of 8

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name AKILOV, KOMRON MARUFOVICH	File Number 	Date 02/07/2025
---	---	--------------------

Previous Criminal History

Subject has no criminal history

Records Checked

-
- NCIC Pos
 - EARM Pos
 - CIS Pos
 - TECS Pos
 - IAFIS Pos

ARRESTING AGENTS

-
- M. 8706 LESLEY
 - J.8070 ARRASMITH
 - J D07798 LEANO
 - H. DO6382 HUIZAR
 - CARLOS GODOY

At/Near

SAN DIEGO, CALIFORNIA

Record of Deportable/Excludable Alien:

On February 7, 2025, I Deportation Officer Jose Samaniego, was assigned processing duties located at the San Diego ICE Office at 880 Front st, San Diego CA 92101. During the course of my duties I was tasked with the processing of Akilov, Komron. The following report is a statement from the arresting officers.


A# 
AKILOV, Komron

The above subject is a lead that DHS/ICE/ERO Officer J. Leano, a Deportation Officer (DO) assigned to the Special Operations Group, Task Force JTTF developed while conducting routine record checks using agency approved systems. The Subject was referred to ERO by Homeland Security Investigations (HSI).

On February 6, 2025, DO Leano searched agency approved data bases for individuals with prior immigration history and evidence of subsequent unlawful entries using the subjects name and DOB.

Additionally, records checks show that the Subject has one vehicle registered under his name, a red 2010 Toyota Prius CA/9MBG765. AKILOV, Komron was encountered by US Customs and Border Protection on August 14, 2023, and processed as an Expedited Removal with credible fear referral. On September 25, 2023, AKILOV was released on parole pursuant to 212d5A. On January 31, 2024, an Immigration Judge terminated AKILOV's proceedings. Databases do not reflect a subsequent lawful entry. Based on this information an I-200 warrant for arrest was issued on February 6, 2025.


On Friday, February 7, 2025, at approximately 0700 hours, Homeland Security Investigations

Signature  J. 9482 SAMANIEGO	Title Deportation Officer
---	------------------------------

EOIR - 5 of 8

U.S. Department of Homeland Security

Continuation Page for Form I-213


Alien's Name AKILOV, KOMRON MARUFOVICH	File Number 	Date 02/07/2025
--	---	--------------------

(HSI) Special Agent (SA) J.Arrasmith, C. Godoy, HSI Supervisory Special Agent (SSA) M.Lesley, and Deportation Officers (DO) J. Leano, and H. Huizar, began conducting surveillance at Rio San Diego Drive, in the city of San Diego, CA, where the Subject's vehicle was parked. All officers were in full duty uniform comprised of clearly marked agency identifiers (ICE and FEDERAL OFFICER) on the fronts and backs of their service vests and an ICE badge clearly displayed on the front of their vests.

At approximately 0815 hours, DO J. Leano observed a male matching the physical description of AKILOV, Komron walking in the parking lot of 2212 Fenton parkway in city of San Diego. DO J. Leano notified all other officers and officers approached the Subject as he was entering his vehicle parked at Rio San Diego Drive. Officers engaged the Subject and identified themselves as Immigration Customs Enforcement Officers with the Department of Homeland Security. DO H. Huizar and HSI SSA M. Lesley conducted a field interview and asked the Subject for identification. The Subject presented a New York State Driver's License (186 647 250) bearing his name and DOB. DO J. Leano positively identified the TARGET and advised him that ICE had a warrant for his arrest. AKILOV was taken into custody without incident at approximately 0820 hours. AKILOV was transported to the San Diego Field Office by DO H. Huizar for processing without incident.

At the San Diego Field Office (ERO) processing center, SUBJECT'S latent fingerprints were submitted via IDENT/IAFIS (Integrated Automated Fingerprint Identification System). IDENT/IAFIS confirmed SUBJECTS identity as well as his criminal history:

IMMIGRATION

On August 14, 2023, AKILOV, Komron (DOB: ) applied for admission into the US from Mexico through the San Ysidro Port of Entry. AKILOV is inadmissible to the United States pursuant to section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act. AKILOV was served with an M-444, a list of Pro Bono Legal Service, providers taken into DHS Custody

CRIMINAL HISTORY/CONVICTIONS

None.


FAMILY/ ACQUIRED/DERIVATIVE CITIZENSHIP

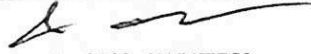
AKILOV claimed that parents, AKILOV, MARUF (father) and AKILOVA, DILOROM (mother), were both citizens and nationals of TAJIKISTAN.

AKILOV made a claim to United States citizenship.

INTERVIEW

During case processing, AKILOV provided the following information:


- AKILOV stated that his true and complete name is AKILOV, Komron.
- AKILOV stated that his date of birth is .
- AKILOV stated to be a TAJIKISTAN citizen by virtue of birth in TAJIKISTAN.
- AKILOV stated not to have legal documents to enter or reside in the United States.
- AKILOV stated to have entered the United States at San Ysidro Port of Entry on or about August 14, 2023.
- AKILOV stated not to have served in the United States Armed Forces.

Signature  J. 9482 SAMANIEGO	Title Deportation Officer
---	------------------------------

EOIR - 6 of 8

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name AKILOV, KOMRON MARUFOVICH	File Number 	Date 02/07/2025
--	---	--------------------

- AKILOV claimed that his parents are citizens and natives of TAJIKISTAN.
- AKILOV claimed NO FEAR of returning to TAJIKISTAN.

CONSULAR NOTIFICATION AND PHONE RIGHTS

AKILOV was informed that he had the right to contact the consular representatives of his country if he so wished. The consular notification sheet was placed in the file.

AKILOV was given an opportunity to make a phone call. The detainee telephone call sheet was placed in the file.

MEDICAL/HEALTH

AKILOV stated he is in good health.

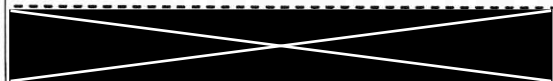
CHARGES OF REMOVABILITY

AKILOV is inadmissible under Section 212(a)(7)(A)(i)(I) Immigration Nationality Act as amended, in that at the time of entry or of adjustment of status, you were within one or more of the classes of aliens inadmissible by the law existing at such time, to wit: alien immigrants who are not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document required by the Act, or who are not in possession of a valid unexpired passport, or other suitable travel document, or identity and nationality document if such document is required by regulations issued by the Attorney General, AKILOV will be processed as a NOTICE TO APPEAR (I-862) and placed on Removal Proceedings under Section 237(a)(1)(A) of the Immigration and Nationality Act (Act).

DISPOSITION

On February 7, 2025, ERO San Diego served AKILOV with a Form I-862, NOTICE TO APPEAR and will be transported and housed at Otay Mesa Detention Center.

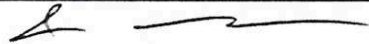
Other Identifying Numbers



PASSPORT NUMBER AND COUNTRY OF ISSUE



TAJIKISTAN

Signature  J. 9482 SAMANIEGO	Title Deportation Officer
---	------------------------------