

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Abilene Division**

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|----------------------------------|---|-------------------------------|
| Sahand Yousefinasrabadi, |) | |
| |) | |
| <i>Petitioner,</i> |) | |
| |) | |
| v. |) | Civ. Action No. 1:26-CV-015-H |
| |) | |
| Marcello Villegas, <i>et al.</i> |) | |
| |) | |
| <i>Respondents.</i> |) | |
| |) | |

REPLY TO RESPONSE TO ORDER

Petitioner has been detained for 274 days since his re-detention on June 23, 2025—one-and-a-half times the 180-day *Zadvydas v. Davis* presumptively reasonable period. 55 U.S. 678 (2001). As *Zadvydas* explains, “for detention to remain reasonable, as the period of prior postremoval confinement grows, what counts as the ‘reasonably foreseeable future’ conversely would have to shrink.” 533 U.S. at 701.

During Petitioner’s detention, Respondents waited for 199 days (in other words, more than the entire 180-day *Zadvydas* period) before even *asking* the Government of Iran to issue travel documents. Respondents have received no response and have had no communication with the Government of Iran since making that request on January 8, 2026—two and a half months ago.

On February 26, 2026, Petitioner filed a memorandum explaining why there was no significant likelihood of removal in the reasonably foreseeable future, and arguing that this case is materially indistinguishable from *Yaghoubi Yeganeh v. Warden*, No. 1:25-cv-00121-H, Dkt. No. 21 (N.D. Tex. Dec. 15, 2025).

Two days later, on February 28, 2026, the United States began Operation Epic Fury, an

ongoing series of coordinated airstrikes against Iran, Petitioner's designated country of removal.¹ Iranian airspace has been closed since that date.² To state the obvious, Iran cannot be expected to allow U.S. deportation flights to land in airports that our country is simultaneously bombing.³

On March 4, 2026, this Court ordered Respondents to "indicate, on or before March 25, 2026, whether efforts to remove Yousefinasrabadi to Iran are still underway. If not, the respondents must indicate whether the government is engaged in active efforts to remove Yousefinasrabadi to any third country." Dkt. No. 14 at 1. On March 25, 2026, Respondents advised the Court that "that there is no new information from the State Department about any recent developments" with regards to Petitioner's removal, and that "[i]n light of this dearth of available information, the Government is not able to provide the Court with updated facts regarding Petitioner's removal to Iran, a third country, or a clear assessment of the likelihood of removal in the reasonably foreseeable future." Dkt. No. 15 at 1.⁴ Of critical importance, Respondents do *not* aver that they are now intending to remove Petitioner to a third country.

For this reason, the possibility of Petitioner's removal is now even more remote. As the court held in *Yaghoubi Yeganeh*:

That leaves the final question: Have the respondents offered evidence sufficient to rebut Yaghoubi Yeganeh's showing? By the respondents' own admission, they have not. In their response to the Court's "final opportunity" to justify Yaghoubi Yeganeh's detention, the respondents candidly acknowledged that they "are not

¹ Neil MacFarquahr, "A Timeline of the Tensions Between the Islamic Republic of Iran and the U.S.," *The New York Times* (March 16, 2026), available at <https://www.nytimes.com/2026/03/15/world/middleeast/united-states-iran-history.html>.

² See, e.g., <https://www.safeairspace.net/iran> (last visited March 25, 2026).

³ "Overnight US-Israeli strikes in Tehran target airport," *Al Jazeera* (March 7, 2026), available at <https://www.aljazeera.com/video/newsfeed/2026/3/7/overnight-us-israeli-strikes-in-tehran-target-airport>.

⁴ Respondents' advisory in this case is almost word-for-word identical to their final advisory in the *Yaghoubi Yeganeh* case. Civ. No. 1:25-cv-121-H, Dkt. No. 19, at 1. And Petitioner has been detained for an almost identical number of days as the petitioner in *Yaghoubi Yeganeh*.

able to provide the Court” with “a clear assessment of the likelihood of removal in the reasonably foreseeable future,” let alone “updated facts regarding Yaghoubi Yeganeh’s removal to a third country.” Put simply, the respondents have brought forward nothing to indicate that a substantial likelihood of removal subsists despite the passage of six months. More is required to justify Yaghoubi Yeganeh’s continued detention. Therefore, he must be released.

Civ. No. 1:25-cv-121-H, Dkt. No. 21, at 9-10 (internal citations omitted).

The same result should apply here, and the writ of habeas corpus should issue.

Respectfully submitted,

Date: March 25, 2026

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Certificate of Service

I, Simon Sandoval-Moshenberg, hereby certify that on this date, I uploaded the foregoing, with all attachments thereto, to this court's CM/ECF system, which will send a Notice of Electronic Filing (NEF) to all case participants.

Respectfully submitted,

Date: March 25, 2026

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