

NOTICE OF SUPPLEMENTAL AUTHORITY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

ARTUR PETRIAKOV,

Petitioner,

v.

WARDEN, EL PASO PROCESSING CENTER, et al.,
Respondents.

Case No.: 3:26-cv-00040

NOTICE OF SUPPLEMENTAL AUTHORITY

Petitioner, Artur Petriakov, respectfully submits this Notice of Supplemental Authority to inform the Court of a significant development that directly impacts the legality of his continued detention.

On March 16, 2026, an Immigration Judge granted Petitioner's application for asylum after full consideration of the merits of his case. A copy of the Immigration Court's Order is attached as Exhibit A.

This development constitutes a material change in both the legal and factual circumstances underlying Petitioner's detention. Petitioner is no longer merely awaiting adjudication of his immigration case; he has prevailed on the merits and has been granted protection under United States law.

Although the government retains the right to appeal within the statutory period, continued detention under these circumstances raises serious concerns regarding its legality and necessity, particularly where:

- Petitioner has been in custody since October 23, 2025;

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MAR 30 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CH DEPUTY CLERK

- Petitioner has a verified and stable residence where he will reside with his spouse upon release;
- Petitioner poses no danger to the community;
- Petitioner presents no risk of flight;
- Petitioner has experienced deterioration in physical health and significant psychological distress as a result of prolonged detention; and
- Petitioner's continued detention has imposed substantial financial hardship on his family.

Accordingly, continued detention is no longer reasonably related to its original purpose.

Continued detention of an individual who has been granted asylum is inconsistent with fundamental principles of liberty and due process, especially where the primary purpose of detention has already been satisfied.

In light of this material change, Petitioner respectfully requests that this Court:

- take judicial notice of the Immigration Court's decision; and
- consider this development in resolving the pending Petition for Writ of Habeas Corpus.

Respectfully submitted,



Artur Petriakov

Petitioner (Pro se)



Dated: 3/24/26

CERTIFICATE OF SERVICE

I hereby certify that on this 24 day of March, 2026,

I served a true and correct copy of the foregoing Notice of Supplemental Authority
and all attached exhibits by depositing the same in the United States Mail,
postage prepaid, addressed to:

United States Attorney's Office
Western District of Texas
El Paso Division
700 E. San Antonio Avenue, Suite 200
El Paso, TX 79901

Respectfully submitted,



Artur Petriakov
Petitioner (Pro se)



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
EL PASO SPC IMMIGRATION COURT**

Respondent Name:

PETRIAKOV, ARTUR

To:

Fedorov, Sergiy
3550 Watt Ave suite 140
Sacramento, CA 95821

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

03/16/2026

ORDER OF THE IMMIGRATION JUDGE

- ☒ This is a summary of the oral decision entered on 04/16/2026. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- ☐ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent ☒ removable ☐ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(7)(A)(i)(I)

The immigration court found Respondent ☐ not removable ☐ not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- ☒ Asylum was ☒ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☒ withdrawn without prejudice
- ☒ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☒ withdrawn without prejudice
- ☒ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☒ withdrawn without prejudice
- ☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences. See INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

Exhibit A - Pages 1 of 4

- ☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

C. Waiver

- ☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

D. Adjustment of Status

- ☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

E. Other

The respondent's wife Olga Petriakova,  is also granted asylum as a derivative beneficiary, as she is properly included on the respondent's asylum application.

III. Voluntary Departure

- ☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ denied.
- ☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ granted, and Respondent is ordered to depart by . The respondent must post a \$ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.
- ☐ The respondent is subject to the following conditions to ensure his or her timely departure from the United States:
- ☐ Further information regarding voluntary departure has been added to the record.
- ☐ Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

- ☐ the presumptive civil monetary penalty amount of \$3,000.00 USD
- ☐ \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of 10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act. to include cancellation of removal. adjustment of status. registry. or change of

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nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

IV. Removal

- ☐ Respondent was ordered removed to
- ☐ In the alternative, Respondent was ordered removed to
- ☐ Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

V. Other

- ☐ Proceedings were ☐ dismissed ☐ terminated with prejudice
- ☐ terminated without prejudice ☐ administratively closed.

☐ Respondent's status was rescinded under INA § 246.

☐ Other:



Immigration Judge: RUHLE, STEPHEN 03/16/2026

Appeal: Department of Homeland Security: ☐ waived ☒ reserved
Respondent: ☒ waived ☐ reserved

Appeal Due: 04/16/2026

Certificate of Service

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To: [] Alien | [P] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : PETRIAKOV, ARTUR | A-Number : 

Riders:

Date: 03/16/2026 By: Soto, Cynthia, Court Staff