

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALISHER SMANOV,

*Petitioner,*

v.

MICHAEL ROSE, *et al.*,

*Respondents.*

Civil Action No. 26-cv-211

**Petitioner's Status Report**

The Hon. Joseph F Leeson, Jr.  
District Judge

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**PETITIONER'S STATUS REPORT**

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This Court previously ordered a bond hearing within seven days of its February 2, 2026 Order, in accordance with 8 U.S.C. § 1226(a), and to alternatively order Petitioner's immediate release if such a hearing was not conducted within seven days. *See* Order, Dkt. 9. A bond hearing was conducted on February 7, 2026. For the reasons set forth below, that hearing did not comply with constitutional or statutory requirements, and Petitioner respectfully requests that this Court order his immediate release or, in the alternative, order a new bond hearing for this Court to conduct that comports with due process.

**I. The Bond Hearing Was Constitutionally Inadequate.**

The hearing lasted approximately fifteen minutes, from approximately 10:05 a.m. to 10:20 a.m. During that time, the Immigration Judge granted undersigned counsel access to the electronic filing system to file a bond evidence packet. The Immigration Judge was then tasked with reviewing 113 pages of documentary submissions, including a detailed evidence matrix addressing both flight risk and danger. Exh. B (including on page 112 the evidence matrix). Petitioner's counsel argued all of the factors under *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006), addressed

the joint stipulation filed in this federal proceeding regarding the Laken Riley Act, and addressed ICE's criminal and immigration concerns regarding danger to the community. Despite this presentation, the Immigration Judge issued a cursory denial finding both danger and flight risk, without any meaningful analysis of the *Guerra* factors or individualized assessment of Petitioner's circumstances.

On flight risk, the Immigration Judge mentioned that Petitioner's asylum application was "entirely blank" in the bond and removal record (notwithstanding the fact that removal records are separate from bond proceedings), that Petitioner "has not established any type of claim of fear of return," and that there was "conflicting evidence in that regard." On danger, the Immigration Judge stated that "it is respondent's burden" to prove he is not dangerous and that Petitioner "has not provided documents of substantive nature of criminal charge and it was disposed on speedy trial grounds." The Immigration Judge then concluded: "Court finds at this point there is no showing that he is not a danger at this time. Court denies bond." None of this reasoning was placed in the actual order for the Board of Immigration Appeals to sufficiently consider on appeal—it merely detailed "Denied" because of "Danger and flight risk." Exh. C.

This reasoning is constitutionally deficient for several independent reasons.

**A. The Immigration Judge Failed to Conduct a Meaningful Analysis Under *Matter of Guerra*.**

In making a bond determination, the Immigration Judge must sufficiently explain the reasoning to permit judicial review. *Garcia v. Hyde*, No. 25-cv-585-JJM-PAS, 2025 WL 3466312, at \*1 (D.R.I. Dec. 3, 2025) (providing nonprecedential but instructive reasoning for this Court in the Third Circuit) (citing *Barnica-Lopez v. Garland*, 59 F.4th 520, 530 (1st Cir. 2023)). While the Immigration Judge "need not discuss ad nauseam every piece of evidence," the judge "may not simply ignore substantial testimonial and documentary proof." *Barnica-Lopez*, 59 F.4th at 530.

Here, the Immigration Judge conducted a five-to-ten-minute review of a 113-page record that included a comprehensive evidence matrix for both flight risk and danger, and issued a conclusory denial that did not meaningfully engage with any of the *Guerra* factors—including Petitioner’s fixed address, length of residence, family ties, employment history, and manner of entry. The Immigration Judge also failed to consider the joint stipulation filed in this federal proceeding concerning the Laken Riley Act, which directly addressed the Government’s criminal and immigration detention arguments. Any review of this decision on appeal will require a remand by the Board of Immigration Appeals for the Immigration Judge to reissue a more complete decision, thereby resulting in months of unnecessary detention.

**B. The Hearing Amounted to a Rubberstamp Denial That Violated Due Process.**

Federal courts have consistently held that due process requires more than perfunctory bond proceedings. “[D]ue process is not satisfied ... by rubberstamp denials [of bond].” *Chi Thon Ngo v. INS*, 192 F.3d 390, 398 (3d Cir. 1999). “The stakes are high and . . . grudging and perfunctory review is not enough to satisfy the due process right to liberty, even for [noncitizens].” *Id.* That court found that a mere presumption of dangerousness or flight risk, without an individualized current assessment, violates due process. *Id.* at 398–99.

The District of Rhode Island recently confronted analogous circumstances. In *Garcia v. Hyde*, Chief Judge McConnell found that the Immigration Judge’s failure to meaningfully engage with the evidence constituted a due process violation warranting immediate release. 2025 WL 3466312, at \*11–12 (citing Third Circuit precedent *Chi Thon Ngo*, 192 F.3d at 398). The court specifically noted that it does not “challenge the IJ’s discretionary judgment” but rather “whether the IJ provided him with a constitutionally adequate bond hearing.” *Id.* at \*5. Like this case, the Immigration Judge in *Garcia* issued a denial without meaningfully analyzing the evidence, and

the court concluded that this was “an error of law” violating due process. *Id.* at \*11 (citing *Chi Thon Ngo*, 192 F.3d at 398).

The *Garcia* court further observed that “in recent months, IJs have faced enormous pressure from the Executive Branch to dismiss cases quickly and rule in certain ways,” but that this did not absolve Immigration Judges of their constitutional obligations. *Id.* at \*11–12. This observation is further supported by the Declaration of Jorge E. Artieda, Esq., attached as Exhibit A, in which an attorney with over two decades of immigration experience—including service as an ICE prosecutor—describes a “seismic shift” in bond hearing outcomes beginning in January 2026, with Immigration Judges systematically denying bond in post-habeas cases using rationales that “appear to bear little relationship to genuine individualized risk assessment.” Artieda Decl. ¶¶ 8–11, 16–18.

## **II. Immediate Release Is the Appropriate Remedy.**

Where a bond hearing is constitutionally inadequate, federal courts have broad discretion to fashion appropriate relief, including ordering immediate release. *See Garcia*, 2025 WL 3466312, at \*11 (ordering immediate release where “due process violations ... pervaded his bond hearing”); *Morrissey v. Brewer*, 408 U.S. 471, 481 (1972). This Court’s original Order already provided for release as an alternative remedy if a compliant bond hearing was not conducted. Because the hearing that was conducted did not comport with due process, Petitioner respectfully submits that release is now warranted.

The pattern of constitutionally deficient bond hearings is not unique to Petitioner’s case and with EOIR. In January 2026, Chief Judge Patrick J. Schiltz of the District of Minnesota—a conservative jurist appointed by President George W. Bush—found that ICE had violated 96 court orders across 74 immigration cases since January 1, a tally he described as “almost certainly

substantially understated.” Ex. F (Feuer, N.Y. Times, Jan. 28, 2026). Judge Schiltz admonished that ICE had disobeyed more judicial directives in a single month than “some federal agencies have violated in their entire existence,” and warned: “ICE is not a law unto itself.” *Id.*

Concurrent with this pattern of noncompliance, there is mounting evidence that the Executive Branch is exerting direct pressure on Immigration Judges to reach predetermined outcomes.<sup>1</sup> Immigration attorney Matthew Hoppock reported on February 4, 2026, that every Somali client he represents in immigration court—eight individuals—had their hearings simultaneously cancelled and their cases reassigned to a single Immigration Judge presiding by video from Louisiana. Ex. E (Hoppock, Bluesky, Feb. 4, 2026); Ex. G (Biography of Matthew Hoppock). Multiple other immigration attorneys reported the same reassignment pattern affecting all of their Somali clients. *Id.* Investigative reporting subsequently identified the reassigned judge as a former ICE prosecutor who denied asylum claims at a rate of 85.3% between 2020 and 2025—and over 95% in 2025 alone—compared to a national average denial rate of 58.9%. Ex. D (Legum, Popular Information, Feb. 9, 2026). This same judge’s bond decision in another high-profile case was later overturned by a federal district court for due process violations. *Id.*

These developments underscore the need for robust federal judicial oversight to ensure that habeas relief ordered by this Court is not rendered meaningless. When Immigration Judges face documented pressure to deny bond and dismiss cases, and when ICE has demonstrated a pattern

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<sup>1</sup> A former judge in the Chelmsford Immigration Court recently stated in an interview that he “was told to rule in a certain way” by his superiors, who “also had pressure from above.” *Romero*, 2025 WL 2403827, at \*7 (citing Oscar Margain, *Fired Immigration Judges Describe Threat to Judicial Independence from Justice Dept.*, NBC Boston (July 25, 2025), <https://www.nbcboston.com/news/local/fired-us-immigration-judge-interviews/3776340>).

of defying federal court orders, the only adequate remedy is one that does not depend on agency compliance with constitutional norms it has already shown a willingness to disregard.<sup>2</sup>

### **III. Additional Update Regarding Petitioner's Detention.**

Petitioner has been transferred to U.S. Penitentiary Lewisburg, a medium-security federal penitentiary in Lewisburg, Pennsylvania. Petitioner is a civil immigration detainee being held in a criminal penal institution. Through his fiancée, Petitioner reports that conditions at USP Lewisburg are significantly more restrictive than his prior detention facility: telephone access is severely limited, the facility is cold, he no longer has access to the same level of electronic messaging as he did at his prior facility. As of today, undersigned counsel has yet to hear from his client. These conditions further underscore the urgency of Petitioner's release, as his continued detention in a medium-security criminal penitentiary—rather than a civil immigration detention facility—imposes punitive conditions on a civil detainee that are neither justified nor appropriate.

### **IV. Exhibits.**

Petitioner attaches the following exhibits in support of this Status Report:

**Exhibit A:** Declaration of Jorge E. Artieda, Esq.

**Exhibit B:** Petitioner's Bond Filing Before the Immigration Court

**Exhibit C:** Immigration Judge's Bond Decision

**Exhibit D:** Judd Legum, *How Trump is rigging immigration courts against Somali migrants*, Popular Information (Blog) (Feb. 9, 2026), available at [https://popular.info/p/how-trump-is-rigging-immigration?utm\\_medium=ios&triedRedirect=true](https://popular.info/p/how-trump-is-rigging-immigration?utm_medium=ios&triedRedirect=true)

**Exhibit E:** Matthew Hoppock (@hoppock.bsky.social), Bluesky (Feb. 4, 2026, at 3:01 p.m.), <https://bsky.app/profile//post/3me2okhiqj22u>

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<sup>2</sup> Undersigned counsel also requests that this Honorable Court take judicial notice of the number of FBI agents, DOJ attorneys, and federal employees who have resigned over concerns that they be forced to act in a manner contrary to law.

**Exhibit F:** Alan Feuer, *Judge in Minnesota Says ICE Has Violated Nearly 100 Court Orders*, N.Y. Times (Jan. 28, 2026), available at <https://www.nytimes.com/2026/01/28/us/politics/judge-minnesota-ice-court-orders.html>

**Exhibit G:** Biography of Matthew Hoppock, available at <https://www.hoppocklawfirm.com/matthewhoppock/>

## V. Conclusion

“The fact that some aliens posed a risk of flight in the past does not mean they will forever fall into that category. Similarly, presenting danger to the community at one point by committing crime does not place them forever beyond redemption.” *Chi Thon Ngo*, 192 F.3d at 398. The current politicization and hollowing out of the immigration court system, replete with mass firings of immigration judges who fail to deny or restrict relief to noncitizens, requires judicial intervention until the presumption of regularity returns.<sup>3</sup> This Court should order immediate release.

Date: February 9, 2026

Respectfully submitted,

*/s Adam R. Boyd*

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Adam R. Boyd  
(FL 1018489 / PA 338285)

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<sup>3</sup> Ximena Bustillo and Scott Simon, *The Trump administration fired nearly 100 immigration judges in 2025. What's next?*, NPR News (Jan. 10, 2026), available at <https://www.npr.org/2026/01/10/nx-s1-5672386/the-trump-administration-fired-nearly-100-immigration-judges-in-2025-whats-next> (“The DOJ's own hiring campaign calls these positions deportation judges, not immigration judges. And the DOJ is expected to bring on more military lawyers as temporary immigration judges this month.”).

**RESPONDENT'S CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 9, 2026, he served a copy of the attached:

**Petitioner's Status Report**

by electronic service via ECF.

Date: February 9, 2026

Respectfully submitted,

*/s Adam R. Boyd*

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*Counsel for Petitioner*

## **DECLARATION OF JORGE E. ARTIEDA**

I, Jorge E. Artieda, declare as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

### **I. PROFESSIONAL BACKGROUND AND QUALIFICATIONS**

**1.** I am an attorney licensed to practice law in the Commonwealth of Virginia and am admitted to practice before the United States District Courts for the Eastern and Western Districts of Virginia.

**2.** I have over two decades of experience in immigration law and federal law enforcement, including:

a. Service as a prosecutor in New York City;

b. Service as legal counsel to Immigration and Customs Enforcement (ICE) Headquarters in Washington, D.C.;

c. Service as Assistant Chief Counsel for ICE in Virginia;

d. Service as a Special Assistant United States Attorney in Virginia; and

e. For the past decade, private practice as an immigration attorney specializing in detention and removal defense, including routine representation of detained individuals in bond proceedings before Immigration Judges in the Eastern District of Virginia.

**3.** I am proud of my years of service as a government attorney. My time working within the City of New York, Immigration and Customs Enforcement, and as a federal prosecutor was among the most meaningful work of my career. I remain grateful for the opportunity to have served the public in those capacities and continue to hold deep respect for the dedicated public servants who work within these institutions to faithfully administer our immigration laws.

**4.** Based on this extensive experience on both sides of immigration enforcement and litigation, I am intimately familiar with the standards, practices, and norms governing bond determinations in immigration proceedings in this district.

### **II. PURPOSE OF THIS DECLARATION**

**5.** I submit this declaration to provide the Court with direct, firsthand observations of a dramatic and systematic change in bond hearing outcomes that have occurred over the past three weeks in immigration proceedings in Virginia and Maryland, particularly before Immigration Judges assigned to the detained docket.

6. This declaration is based on: (a) my personal observations of bond hearings I have attended; (b) my review of written bond decisions issued to clients; (c) communications with numerous immigration attorneys practicing in this district; and (d) my professional knowledge of historical bond practices in this jurisdiction spanning more than a decade.

7. I authorize any attorney representing detained individuals in habeas corpus proceedings or emergency motions for immediate release to use and file this declaration in support of their clients' cases.

### **III. THE SEISMIC SHIFT: SYSTEMATIC DENIAL OF BOND IN POST-HABEAS CASES**

8. Beginning in or around the first week of January 2026, I began observing what can only be described as a seismic shift in bond hearing outcomes for individuals who had been granted federal habeas relief and ordered § 1226(a) bond hearings by this Court and other judges in the Eastern District of Virginia.

9. Prior to this shift, while bond amounts had increased in recent months, bond was *routinely granted* in post-habeas cases where individuals demonstrated: (a) lack of significant criminal history; (b) strong family ties in the United States; (c) lengthy residence in the country; (d) viable claims for relief from removal; and (e) community support including stable housing and employment prospects.

10. Beginning approximately three weeks ago, this pattern *abruptly and uniformly ceased*. In numerous cases I have personally observed or learned about from colleagues, Immigration Judges have denied bond in circumstances that, weeks earlier, would have resulted in bond being set.

11. In my professional observation, the consistency, timing, and uniformity of these denials cannot be readily explained by coincidence, changes in individual case facts, or independent judicial decision-making. The pattern appears systematic and suggests coordinated institutional direction.

### **IV. THE REASSIGNMENT OF IMMIGRATION JUDGES CHOI AND DONOSO-STEVENS**

12. What I believe to be compelling evidence of possible institutional coordination occurred in early January 2026, when two Immigration Judges who had been assigned to the Annandale detained docket for years—Immigration Judge Raphael Choi and Immigration Judge Karen Donoso-Stevens—were abruptly reassigned to the non-detained docket.

13. Prior to their reassignment from the detained docket, these judges were conducting what appeared to be meaningful individualized bond assessments in

post-habeas cases. They were granting bond in appropriate cases and, critically, had begun questioning—*on the record*—the government's blanket detention positions and the Department of Justice's insistence on maintaining detention under circumstances that appeared not to justify continued custody.

**14.** The timing and circumstances of their reassignment are, in my view, extraordinary. Judges who appeared to be fulfilling their duty to conduct individualized bond assessments and who were openly questioning government positions were removed from the very docket where such assessments are most critical.

**15.** Since their reassignment, the Immigration Judges who replaced them on the detained docket have, based on my observations, *systematically denied bond* in post-habeas cases. This pattern suggests that the reassignment may not have been administrative happenstance but rather a deliberate effort to ensure predetermined outcomes—continued detention—regardless of individual circumstances.

## **V. PRETEXTUAL AND LEGALLY INSUFFICIENT RATIONALES FOR DENYING BOND**

**16.** Over the past three weeks, Immigration Judges have, in my observation, relied on a remarkably narrow and predictable set of rationales to deny bond—rationales that appear to bear little relationship to genuine individualized risk assessment and that would not have been deemed sufficient to justify denial just weeks earlier.

**17.** These rationales, which I believe to be pretextual, include but are not limited to:

- a. Treating the absence of a financial sponsor as dispositive of flight risk, even when other equities (family ties, length of residence, employment history, community support) overwhelmingly favor release;
- b. Finding that a sponsor who is not a *financial* sponsor is insufficient, despite no legal requirement that sponsors provide financial guarantees;
- c. Treating the fact that an individual did not seek relief from removal until after being detained as evidence of lack of intent to comply with immigration proceedings;
- d. Finding that applications for relief under INA § 240A(b) (cancellation of removal) are "speculative" and therefore do not mitigate flight risk, despite the fact that all immigration relief applications involve some degree of uncertainty and merit assessment;

e. Characterizing unlawful entry into the United States—*by itself*—as establishing flight risk, a rationale that would render bond impossible for the vast majority of detained individuals;

f. Treating the accumulation of unlawful presence (which is a civil violation, not a crime) as evidence of danger or disregard for the law;

g. Finding that unauthorized employment—a status violation shared by millions of undocumented immigrants—constitutes a significant negative factor warranting denial of bond;

h. Treating minor discrepancies in addresses listed on various documents as evidence of "deceitfulness," even when such discrepancies are readily explained and do not reflect any intent to mislead;

i. Questioning the accuracy of tax returns and suggesting "underreporting" based on subjective assessments of lifestyle (such as photographs showing children at Disneyland or a respondent in a vehicle), without any actual evidence of fraud or misrepresentation;

j. Imposing on respondents the burden of proving that they *will* appear for future court proceedings—an impossible burden that requires proving a negative—even though many respondents have never failed to appear for any prior proceeding because *they have never been required to appear* until being placed in removal proceedings; and

k. Dismissing applications for cancellation of removal as "pro forma" when they have not been fully completed or developed, even though detained individuals often lack access to the resources and legal support necessary to perfect such applications while in custody.

**18.** In my professional assessment, these rationales do not appear to be grounded in legitimate risk assessment. They appear to be pretexts designed to ensure denial of bond regardless of the individual facts of each case.

**19.** The rationales being employed to deny bond appear to depart significantly from the standards articulated in BIA precedent governing bond determinations.

**20.** The rationales I have observed over the past three weeks—treating unlawful entry alone as establishing flight risk, dismissing relief applications as inherently "speculative," requiring financial sponsorship as a prerequisite, and treating any immigration violation as dispositive—appear to represent a departure from these precedential standards. BIA case law requires that Immigration Judges consider the *specific circumstances* of each case and weigh multiple factors in reaching bond

determinations. The systematic application of categorical exclusions based on status violations common to the detained population does not appear consistent with the individualized, fact-specific analysis that BIA precedent mandates.

## **VI. OBSERVATIONS FROM JANUARY 14 and JANUARY 28, 2026, DETENTION DOCKET**

**21.** On January 14 and January 28, 2026, I personally observed bond hearings before Immigration Judge Gardey at the Annandale Immigration Court. What I witnessed confirmed the systematic pattern of denial that has emerged over the past three weeks.

**22.** Multiple cases that would have resulted in bond being set just weeks earlier were denied. The denials were based on the same rationales I have described above: lack of financial sponsors, unauthorized work, the "speculative" nature of relief applications, and immigration violations that are endemic to the detained population.

**23.** In each instance I observed, the Immigration Judge appeared to apply factors that, if consistently applied, would make bond impossible for virtually any detained individual in removal proceedings. There did not appear to be meaningful individualized assessment. The hearings appeared to be perfunctory exercises designed to create a veneer of due process while ensuring predetermined outcomes.

**24.** The cases I observed on the above dates, involved individuals with no criminal history, or only minor criminal history unrelated to violence or flight. These individuals had family members present in court, stable housing, employment prospects, and pending applications for relief. Under the standards that prevailed in this district for years—and indeed, as recently as three weeks ago—these individuals would have been granted bond.

## **VII. CORROBORATION FROM THE IMMIGRATION LEGAL COMMUNITY**

**25.** My observations are not isolated. In recent weeks, I have communicated with numerous immigration attorneys practicing all over the United States who handle detention cases. These conversations have confirmed that the pattern I have observed is widespread and consistent.

**26.** Colleagues have reported the same experience: clients who were granted federal habeas relief and ordered § 1226(a) bond hearings are now being systematically denied bond based on rationales that would not have been deemed sufficient weeks earlier.

**27.** These attorneys have described bond hearings as appearing to be "pro forma" exercises where the outcome seems predetermined. Meaningful individualized

review appears to have been replaced by boilerplate language and cookie-cutter denials.

**28.** The consistency of these reports across multiple practitioners, representing different clients before different Immigration Judges, suggests that this is not a matter of individual judicial discretion or case-specific circumstances. It appears to be a coordinated institutional effort.

## **VIII. PROFESSIONAL ASSESSMENT AND CONCLUSION**

**29.** Based on my two decades of experience in immigration law, including my service within the ICE, the pattern of events over the past three weeks—the abrupt reassignment of judges who were granting bond and questioning government positions, the immediate and uniform shift to systematic denial of bond, and the reliance on a narrow set of rationales across multiple judges and cases—suggests what appears to be a coordinated effort by the Executive Office for Immigration Review (EOIR) and the Department of Justice to undermine federal habeas relief.

**30.** In my professional judgment, this apparent coordination is the most plausible explanation for what I and my colleagues have observed. Independent adjudication does not typically produce this level of uniformity in outcome and reasoning across multiple judges and cases in such a compressed timeframe.

**31.** The bond hearings being provided to individuals who have been granted federal habeas relief do not appear to be genuine adjudications. They appear to be illusory remedies—proceedings designed to create the appearance of due process while ensuring that individuals remain detained indefinitely.

**32.** What I have witnessed over the past three weeks appears to be a systematic effort to nullify the constitutional protections that federal courts have recognized and enforced through habeas corpus. It appears to be a deliberate campaign to render meaningless the bond hearings that this Court and others have ordered.

**33.** I am profoundly concerned by what I have witnessed. As an attorney who has dedicated my career to the fair administration of immigration law—having served both as a government attorney enforcing those laws and as a private practitioner defending individuals subject to them—I find what appears to be a coordinated effort to undermine judicial authority and deny due process to be deeply troubling and inconsistent with the values I learned and embraced during my years of public service.

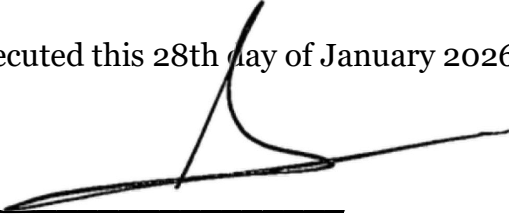
**34.** The individuals affected by this systematic denial of bond are not abstractions. They are human beings with families, with children, with jobs, with lives in this country. They have been found by federal courts to be entitled to bond hearings.

They are now being denied those hearings in any meaningful sense, held in detention not because they pose a danger or a flight risk, but because, in my observation, the Executive Branch appears to have decided to circumvent federal court orders through institutional means.

**35.** I submit this declaration in the hope that it will assist courts in understanding the reality of what appears to be occurring in immigration proceedings in this district and in ensuring that the constitutional right to habeas corpus is not rendered meaningless.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 28th day of January 2026, in Arlington, Virginia.

A handwritten signature in black ink, appearing to read 'Jorge E. Artieda', written over a horizontal line.

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UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ELIZABETH NEW JERSEY

In the Matter of:

Alisher Smanov A



Respondent

In Removal Proceedings

**RESPONDENT'S NOTICE OF INTENT TO OFFER EVIDENCE**

Hearing Date: 2026-02-05  
Immigration Judge: Mullican, Leila McNeill.

**RESPONDENT'S NOTICE OF INTENT TO OFFER EVIDENCE**

Tab Exhibit Name Page

**IDENTITY DOCUMENTS**

**A** Birth Certificate with Certified Translation 7



**B** Passport Biographic Page 12

Issued in 2021

Expiration Date in 2031

**C** Pennsylvania Commercial Driver's License 14

Further establishes continuous residence and ability to satisfy to Pennsylvania that he is a responsible driver and resident with the capability of driving larger transportation vehicles that support our economy.

**D** Bachelor degree diploma 16

Bachelor Degree in Economics, International Economics and Trade

Establishes a more sophisticated and educated individual with vested interest in remaining compliant with ICE check-ins and court hearings.

Establishes a further incentive to remain compliant in adhering to immigration court attendance to have the ability to work full time with an Economics degree after asylum is granted and lawful permanent status is available.

**EOIR AND DHS FORMS**

**E** NTA 23

212(a)(6) Charge

Dated February 1, 2023.

Alien Present Without Admission or Inspection

**F** Form I-589 Application 27

Receipt Stamp by Philadelphia Immigration Court on January 16, 2024, thus filing within one year of arrival.

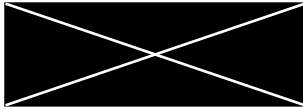
Tab Exhibit Name Page

**FLIGHT RISK FACTORS**

**G** Reference letter from Guarantor Arystanbek Kaimoldayev 40

Arystanbek Kaimoldayev is an LPR who lives in Philadelphia who is willing to ensure Alisher's future attendance at immigration court hearings. He is willing to provide housing and financial support if needed. He wrote multiple positive things about Alisher's character.

**H** Proof of U.S. Address 44



Bank of America Statement  
Department of Motor Vehicles Envelope  
Bristol West Insurance Schedule  
TD Auto Finance Letter

**I** Form I-797 Approval Notice for EAD 49

Class: C08  
Valid from 07/15/2024 to 07/14/2029  
Establishes ability to work and incentive to remain in compliance with pending asylum application.

**J** Photos 51

Establishes the familial and friend ties this individual has in the United States and the support system and incentive system Alisher has to comply with further Master Calendar and Individual Hearing Notices in his case.

**K** Alisher Smanov 1099 - NonEmployee Compensation 59



income for 2025.  
Further shows proof of consistent U.S. Address.  
Given recent detention, Alisher has been unable to file his 2025 taxes.

**Y** Second Bond Sponsor Letter, 2025 salary  105

Tab	Exhibit Name	Page
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**DANGER TO THE COMMUNITY FACTORS**

<b>L</b>	Order of Release on Recognizance	62
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February 2, 2023 Release on Recognizance.

Order to Appear before ICE again on February 15, 2023.

ICE declines to detain Respondent for almost three years as he continues to build his life in the United States, awaiting a court date for his asylum application.

<b>M</b>	Criminal Defense Lawyer Explaining Dropped Charge in Chicago	67
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Letter from Aaron Rosenblatt, criminal defense attorney for Respondent.

Letter establishes that on November 23, 2023, a State Attorney's Office in Illinois pressed charges against Alisher. Alisher demanded a trial to prove his innocence. The State Attorney's Office abandoned prosecution for failure to establish that Alisher was guilty of committing a crime.

Alisher's charges were available for ICE to review, yet ICE determined the dropped charges were not enough of a concern for a danger to the community. Alisher remained working and living in the United States outside of detention for over two years.

**X. Court disposition added on p. 101**

**REFERENCE LETTERS**

<b>N</b>	Reference letter from Ainagul (fiancée)	69
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Ainagul provides more details than others as to the obligations and responsibilities that Alisher has put upon himself in the United States, which assists this Court in knowing that he is not a flight risk.

Alisher makes credit and loan payments as he builds his version of the American Dream. He financially supports his fiancée Ainagul. And he wishes to start a family with Ainagul in the United States.

Matrimony and future children are quintessential ties to a community that deter flight risk.

<b>O</b>	Support letter from Artur Logistics Corp (Employer)	73
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Alisher has the support of his employer and a continued incentive to attend future hearings and earn an income. He has the stability of remaining with the same employer for over a year before he was wrongfully detained.

Alisher's particular skills in working for a trucking company shows he can comply with federal and state laws in operating heavy vehicles.

Alisher's company is providing further support and incentives for him to attend future hearings.

Tab	Exhibit Name	Page
<b>P</b>	Reference letter from Kanat Aimanov  Kanat was Alisher's neighbor in Chicago who was willing to write a letter with limited notice to establish how Alisher acts in society. In an apartment complex he was known as friendly, tidy, and respectful to neighbors. He was able to make enough of an impression that a neighbor would be willing to write on a moment's notice for his removal proceedings to vouch for his character.	75
<b>Q</b>	Reference letter from Nargiza  Nargiza Omurkulova knows Alisher because Alisher is the fiancé of Nargiza's close friend.  Although these letters are not always given substantive weight in removal proceedings, this does further establish that Alisher has made connections in the United States and provided a good impression to others who are willing to vouch for his character.	78
<b>R</b>	Reference letter from Dzerassa Bokoeva  Dzerassa confirms to this Court that Alisher has a fiancée who financially depends on him and who has every incentive to encourage Alisher to attend his future hearings, just as he has consistently done for ICE check-ins and prior Immigration Court hearings.	82
<b>S</b>	Reference letter from Nigara Nametova  Nigara has known Alisher since before he arrived in the United States. She can attest to his friendliness and support to her as a family friend. She further shows that Alisher did not just come here without any support or friendships to help him adjust as he sought asylum. He knew that he could flee persecution and choose a network of family friends to lean on as he waited for his non-detained individual hearing. And he will have every incentive to attend future hearings so that he can remain in the United States with friends like Nigara.	85
<b>T</b>	Reference letter from Ildar  Ildar wrote this letter about Alisher to establish that he knows Alisher as a fellow trucker and good person. In a world of Gen Z and allegations in the press about nobody wanting to work, this individual was willing to write favorably about Alisher's work ethic.	89
<b>U</b>	Reference letter from Izatulla  Izatulla lives in the same apartment complex as Alisher. Izatulla references in this character letter Alisher's hard work ethic and how much his family depends on him. It further establishes why he is a low flight risk.	92
<b>V</b>	Reference letter from Dzaurov Zakre  Dzaurov is another trucker and friend of Alisher. He considers Alisher dependable and	95

Tab	Exhibit Name	Page
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hard working and an overall decent person. Although it does not say much more than the other letters provided, it does show a pattern and a willingness of numerous people to write on Alisher's behalf on short notice for a bond hearing.

<b>W</b>	Reference letter from Kairat Matayev	98
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Another trucker who knows Alisher was willing to write on his behalf. Alisher is described as a good and respectful person who is easy to get along with.

Date: February 4, 2026

Respectfully submitted,

/s Adam Boyd

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Adam Boyd  
*Counsel for Respondent*

# Tab A

# Tab B

# Tab C

# Tab D

# HANGZHOU DIANZI UNIVERSITY



The Degree Awarding Committee, in accordance with  
“The Regulations Concerning Academic Degrees in the People’s  
Republic of China”, has conferred upon

**SMANOV ALISHER**

The Degree of **BACHELOR** of  
**Economics in International Economics and Trade**

With all its rights, privileges and honors given at Zhejiang ,  
China, on the **14th** day of **July** , in the year of  
**Two Thousand and Twenty-one.**

**President,  
Chairman, Degree Awarding Committee  
Hangzhou Dianzi University**

NO. 



杭州电子科技大学  
HANGZHOU DIANZI UNIVERSITY

# Tab E

DEPARTMENT OF HOMELAND SECURITY  
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID [REDACTED] FINS # [REDACTED] File No: [REDACTED]  
In the Matter of: [REDACTED] DOB: [REDACTED] Event No [REDACTED]  
Respondent: ALISHER SMANOV currently residing at:  
[REDACTED]  
(Number, street, city, state and ZIP code) (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 KAZAKHSTAN and a citizen of KAZAKHSTAN ;
3. You arrived in the United States at or near CALEXICO, CA , on or about January 30, 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:

900 Market Street Suite 504 Philadelphia PA US 19107

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

on August 28, 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.

charge(s) set forth above.

ALBERT YBARRA

ACTING WAT

(Signature and Title of Issuing Officer) (Sign in ink)

ALBERT MYBARRA  
Date: 2023 02 07 02:11:20 -08:00  
0387401881 CBF 2

Date: February 01, 2023

San Diego, California

(City and State)

**Notice to Respondent**

**Warning:** Any statement you make may be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

**Representation:** If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

**Conduct of the hearing:** At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

**One-Year Asylum Application Deadline:** If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at [www.uscis.gov/i-589](http://www.uscis.gov/i-589). Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

**Failure to appear:** You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

**Mandatory Duty to Surrender for Removal:** If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

**U.S. Citizenship Claims:** If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

**Sensitive locations:** To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

**Request for Prompt Hearing**

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

\_\_\_\_\_  
(Signature of Respondent) (Sign in ink)

BORDER PATROL AGENT

Date: 02/02/2023

\_\_\_\_\_  
(Signature and Title of Immigration Officer) (Sign in ink)

**Certificate of Service**

This Notice To Appear was served on the respondent by me on February 02, 2023, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person  by certified mail, returned receipt # \_\_\_\_\_ requested  by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the RUSSIAN language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

\_\_\_\_\_  
(Signature of Respondent If Personally Served) (Sign in ink)

CARLOS ARMENTA JR  
Date: 2023.02.02 08:09:16 -08:00  
0843505246 CBP  
\_\_\_\_\_  
(Signature and Title of officer) (Sign in ink)

Privacy Act Statement

**Authority:**

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

**Purpose:**

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

**Routine Uses:**

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARRIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

**Disclosure:**

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

# Tab F

# Tab G

Reference letter

To Whom It May Concern,

My name is Arystanbek Kaimoldayev, **I am Lawful permanent resident of the United States** and I live at [REDACTED] I have known Alisher personally since 2023. I am both his friend and neighbor.

I am willing to support Alisher and **ensure that he appears at all future immigration court hearings**. I am confident that he will fully comply with all court requirements. If any unforeseen circumstances arise, I am also **willing to provide him with housing** and assist him with **financial support if needed**. Because of my close relationship with Alisher, I am comfortable taking this responsibility and offering my support. I am confident that Alisher will continue to act responsibly and lawfully.

He's helped me personally with my work more than once, and he also helped clear snow around the house and side walkways in the winter.

Alisher is a person with a very good reputation. He is honest, responsible, and well respected by everyone who knows him. His presence in the United States is extremely important to his family and close friends, as he provides both emotional and practical support. Our neighbors truly rely on him, and his absence would be very difficult for those who depend on him.

I sincerely believe that Alisher Smanov is a person of good moral character and a positive member of our community. I respectfully ask that this letter be taken into consideration.

Please feel free to contact me if any additional information is required.

Sincerely,

Arystanbek Kaimoldayev [REDACTED]

Date: 02/03/2026







# Tab H

# Tab I



**I-797 | NOTICE OF ACTION** | DEPARTMENT OF HOMELAND SECURITY  
U.S. CITIZENSHIP AND IMMIGRATION SERVICES



Receipt Number [REDACTED]	USCIS Account Number [REDACTED]	Case Type 1765 - APPLICATION FOR EMPLOYMENT AUTHORIZATION
Received Date 06/18/2024	Priority Date 06/18/2024	Applicant [REDACTED] SMANOV, ALISHER
Notice Date 07/16/2024	Page 1 of 1	

SMANOV, ALISHER  
[REDACTED]

**Notice Type:** Approval Notice  
**Class:** C08  
**Valid from:** 07/15/2024 to 07/14/2029

**We have approved your application for employment authorization.** We will send your Employment Authorization Document (EAD) (also known as an EAD card or Form I-766) to you separately. Your EAD card should be produced within one to two weeks. Your EAD card will be mailed via U.S. Postal Service (USPS) Priority Mail with Delivery Confirmation to the address you designated. The time frame in which you will receive your EAD card may vary, depending on USPS delivery times. Please allow a total of 30 days from approval before inquiring with USCIS. We encourage you to use Case Status Online <https://egov.uscis.gov/> to find your USPS tracking number for EAD card delivery. If you have not received your EAD card within this time frame, please visit <https://egov.uscis.gov/e-request/Intro.do> for instructions on how to submit an inquiry.

Your EAD card is proof that you are allowed to work in the United States. Show the card to your employer to verify your authorization to work during the dates on the card. You cannot use this approval notice as proof of your employment authorization.

When you receive your EAD card, please check that all the information on the card is correct. If you need to change any information on the card, please mail all of the following to the office listed below:

- A letter explaining what information needs to be corrected,
- Your EAD card,
- A photocopy of this notice, and
- Evidence to show what the correct information should be. For example, if you need to correct your name, submit a copy of your birth certificate or official name change.

**If You Have a Pending Form I-485**

If you have a pending or approved Form I-140 and a pending Form I-485, you may request to change employers if your Form I-485 has been pending for at least 180 days. In order to do so, you need to submit documentation about your new job offer. For more information on how to request a change of employers and what information you must submit, please visit the USCIS website at [www.uscis.gov](http://www.uscis.gov).

If your EAD card expires before we make a final decision on your Form I-485, you may apply for a new EAD card.

**THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA OR EVIDENCE OF EMPLOYMENT AUTHORIZATION.**

**NOTICE:** Although this application or petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to <https://www.uscis.gov/file-online>.

Nebraska Service Center  
U.S. CITIZENSHIP & IMMIGRATION SVC  
P.O. Box 82521  
Lincoln NE 68501-2521



USCIS Contact Center: [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter)

# Tab J







# Tab K

## Instructions for Recipient

You received this form instead of Form W-2 because the payer did not consider you an employee and did not withhold income tax or social security and Medicare tax.

If you believe you are an employee and cannot get the payer to correct this form, report the amount shown in box 1 on the line for "Wages, salaries, tips, etc." of Form 1040, 1040-SR, or 1040-NR. You must also complete Form 8919 and attach it to your return. For more information, see Pub. 1779, Independent Contractor or Employee.

If you are not an employee but the amount in box 1 is not self-employment (SE) income (for example, it is income from a sporadic activity or a hobby), report the amount shown in box 1 on the "Other income" line (on Schedule 1 (Form 1040)).

**Recipient's taxpayer identification number (TIN).** For your protection, this form may show only the last four digits of your TIN (social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN)). However, the issuer has reported your complete TIN to the IRS.

**Account number.** May show an account or other unique number the payer assigned to distinguish your account.

**Box 1.** Shows nonemployee compensation. If the amount in this box is SE income, report it on Schedule C or F (Form 1040) if a sole proprietor, or on Form 1065 and Schedule K-1 (Form 1065) if a partnership, and the recipient/partner completes Schedule SE (Form 1040).

**Note:** If you are receiving payments on which no income, social security, and Medicare taxes are withheld, you should make estimated tax payments. See Form 1040-ES (or Form 1040-ES (NR)). Individuals must report these amounts as explained in these box 1 instructions. Corporations, fiduciaries, and partnerships must report these amounts on the appropriate line of their tax returns.

**Box 2.** If checked, consumer products totaling \$5,000 or more were sold to you for resale, on a buy-sell, a deposit-commission, or other basis. Generally, report any income from your sale of these products on Schedule C (Form 1040).

**Box 3.** Reserved for future use.

**Box 4.** Shows backup withholding. A payer must backup withhold on certain payments if you did not give your TIN to the payer. See Form W-9, Request for Taxpayer Identification Number and Certification, for information on backup withholding. Include this amount on your income tax return as tax withheld.

**Boxes 5-7.** State income tax withheld reporting boxes.

**Future developments.** For the latest information about developments related to Form 1099-NEC and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/Form1099NEC](http://www.irs.gov/Form1099NEC).

**Free File Program.** Go to [www.irs.gov/FreeFile](http://www.irs.gov/FreeFile) to see if you qualify for no-cost online federal tax preparation, e-filing, and direct deposit or payment options.

# Tab L

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE

File No. [Redacted]

Name: SMANOV, ALISHER

Date: Feb 02, 2023

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 Immigration and Customs Enforcement 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 Duty officer at Philadelphia BI Office on February 15, 2023, 10:00 A as directed.

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 officer listed above.
- You must not violate any local, State or Federal laws or ordinances.
- You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- Other: *Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.*

*If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.*

- 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 Immigration and Customs Enforcement.**

T Walkenhorst, Supervisory Detention and Deportation Officer  
(Name and Title of ICE Official)

**Alien's Acknowledgement of Conditions of Release under an Order of Recognizance**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the Other language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

A Hall  
(Signature of ICE Official Serving Order)

[Signature]  
(Signature of Alien)

Feb 02, 2023  
Date

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 ICE Official Cancelling Order)

\_\_\_\_\_  
Date



DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF RELEASE ON RECOGNIZANCE  
(ADDENDUM)**

File No.: 

Name: SMANOV, ALISHER

Date: Feb 02, 2023

- That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- That you do not commit any crimes while on this Order of Release on Recognizance.
- That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- Any violation of the above conditions will result in revocation of your employment authorization document.
- Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- Other:

x \_\_\_\_\_  
(Signature of Alien)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF RELEASE ON RECOGNIZANCE  
(OUT-PROCESSING CHECKLIST)**


**Sex Offenders**

- Probation/Parole Officer Notified
- Registered as sex-offender as required by state statute within 7 days
- Victim/Witness Coordinator Notified
- Victim/Witness Notified
- Written Proof of Counseling

**Substance Abusers**

- Probation/Parole Officer Notified
- Written Proof of Counseling

**All Aliens**

- Probation/Parole Officer Notified
- Obtain address where living and telephone number
- Enter into IDENT      FINS#: 
- NCIC Check
- Travel Document Application
- Other: \_\_\_\_\_

Completed By	
Deportation Officer: <b>A Hall, Deportation Officer</b>	Date <b>Feb 02, 2023</b>

Concurrence By	
Supervisory Detention and Deportation Officer: <b>T Walkenhorst, Supervisory Detention and Deportation Officer</b>	Date <b>Feb 02, 2023</b>

# Tab M

**Criminal Defense Lawyer  
of Chicago P.C.**

**Aaron Rosenblatt**

53 West Jackson Blvd.  
Suite 1442  
Chicago, IL 60604

312-600-0400  
arosenblatt1@gmail.com

---

January 16, 2026

In re: Explanation of the Certified Statement of Conviction/ Disposition

To Whom It May Concern:

This letter is to explain the Certified Statement of Conviction/ Disposition regarding Cook County, Illinois People of the State of Illinois v. Alisher Smanov, case number



The prosecution in this case has been abandoned and Alisher Smanov is not convicted of the charges brought against him.

On November 23, 2023, the Cook County State's Attorney's Office caused to be filed with the Clerk of the Circuit Court of Cook County a criminal complaint making certain allegations against Alisher Smanov. On November 24, 2023, the attorney representing Alisher Smanov filed a demand for trial. Pursuant to Illinois law (725 ILCS 5-103-5), this meant that the State of Illinois had 160 days to prosecute Alisher Smanov. On November 28, 2023, the case was transferred before the Honorable Judge Goldish. On that day, the attorney representing Alisher Smanov repeated the demand for trial. On December 13, 2023, the State's Attorney's Office made a motion to abandon the prosecution against Alisher Smanov. Also, on that day, the attorney representing Alisher Smanov repeated their demand for a third a final time. Since the State of Illinois was not able to meet their burden before the 160-day tolled on the demand, the State of Illinois failed to meet its burden of proof beyond a reasonable doubt.

Regarding the above reference matter, Alisher Smanov has no criminal conviction and certainly, no conviction was entered.

Best,

A handwritten signature in black ink, appearing to read 'AR' followed by a flourish.

Aaron Rosenblatt

Tab N

REFERENCE LETTER

01.26.2026

My name is Ainagul Nugumanova, and I am writing in support of Alisher Smanov, who is my fiancé. I have known him since 2019. We first knew each other as friends, and over time our relationship developed into a committed partnership. Although we live in different cities, we make every effort to spend as much time together as possible. We are engaged and were in the process of building our life together and planning our future when he was detained.

Alisher is a calm, responsible, and caring person. Despite the fact that people sometimes take advantage of his kindness, he is always willing to help others. He takes his commitments seriously - to the people close to him, to his work, and to the responsibilities he has here in the United States. He has never had any criminal convictions.

Alisher has ongoing financial responsibilities in the United States, including credit and loan payments, which he has consistently taken seriously. These responsibilities have been an important part of his daily life and planning.

In addition, Alisher has been a significant source of financial support for me. I recently opened my own business and am still in the early stages of building stable income. During this time, he has helped support me financially and has been reliable and consistent in doing so.

Alisher does not currently have a passport or any travel document. His passport was taken by U.S. authorities at the border when he entered the United States, and he does not have the ability to travel internationally.

His presence here is very important to me. We had plans to continue our life together, establish a stable household, and move forward as a family. I know him to be someone who respects rules and takes his responsibilities seriously.

I respectfully submit this letter for the Court's consideration.

Sincerely,  
Ainagul Nugumanova  
New York



A handwritten signature in black ink, appearing to be 'Ainagul'.

# Tab O



Artur Logistics Corp  
105 Edwards Dr  
[Southampton.PA](#) 18966  
2674231682

## Recommendation Letter

To Whom It May Concern,

I am writing this letter in support of Alisher Smanov, who has been employed by our trucking company as a driver from 01/10/2025

Throughout his employment with us, Alisher has consistently demonstrated that he is a reliable, responsible, and hardworking employee. Truck driving is a demanding profession that requires discipline, punctuality, focus, and a strong sense of responsibility. Alisher met these expectations on a daily basis and carried out his duties with professionalism and care.

What stood out most was Alisher's character. He remained respectful, calm under pressure, and cooperative at all times. He followed company policies, complied with safety regulations, and could be trusted with company equipment, delivery schedules, and long-distance assignments. Until his detention, Alisher maintained steady employment, reported to work on time, and caused no issues for the company. If released, we would have no concerns about his ability to comply with all conditions, attend required appointments, and remain in regular contact with authorities.

Based on my experience working with him, I believe Alisher is a person of good moral character who deserves the opportunity to continue his immigration proceedings while released on bond. Please feel free to contact me should additional information be required.

Sincerely,  
Azamat Zhumaliev  
President  
Artur Logistics Corp  
cell ; 2154312727  
[arturlogisticscorp@gmail.com](mailto:arturlogisticscorp@gmail.com)

Tab P

I, Kanat Aimanov, residing at [REDACTED] confirm that Alisher Smanov was my neighbor during the period from 2023-2024.

During our acquaintance, from 2022 to the present, he has proven himself to be an exceptionally positive person. He is decent, responsible, and friendly. He is neat and tidy, respectful of his neighbors, adheres to the rules of residence, and does not create conflict situations.

Alisher Smanov is always open to dialogue, ready to help if needed, and shows mutual respect and understanding. There have been no complaints from neighbors about his behavior.

I believe that Alisher Smanov is trustworthy and can be recommended as a reliable and law-abiding person.

Date: January 24, 2026

Signature: 

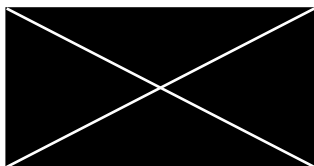
Kanat Aimanov

Contact phone number: +



# Tab Q

Nargiza Omurkulova



To Whom It May Concern,

I am writing to share my personal experience with Smanov Alisher, whom I have known for two years. He is the fiancé of a close friend of mine, and during the time I have known him, I have found him to be a truly responsible, honest, and kind-hearted person.

Alisher takes all his responsibilities seriously and is always careful to do what is right. He consistently manages his work, family, and personal commitments in a timely and conscientious way. Beyond that, he genuinely cares for the people around him and treats everyone with respect and kindness.

His family relies on him deeply, and his presence is very important to them. They depend on his support, care, and guidance every day. I have no doubt that he is a person of strong moral character and that he makes a positive impact on everyone who knows him. I wholeheartedly support him and hope that his integrity, dedication, and the important role he plays for his family will be fully considered.

Please feel free to contact me if you need any additional information.

Sincerely,

Nargiza Omurkulova

A handwritten signature in black ink, appearing to be 'Nargiza Omurkulova'.

# Tab R

My name is Dzerassa Bokoeva, and I live in Brooklyn, NY. I am writing this letter in support of Alisher Smanov.

I have known him for about a year. I have known his fiancée, Aina, for a long time, and over time we became close friends. Because of that, I have spent a lot of time around them, both casually and in family settings, and I had the chance to see who he really is as a person.

He is a very calm, kind, and respectful person. He supports the people around him, carries himself with dignity, and I have never seen him act aggressively or disrespectfully toward anyone. He is very attentive to others, knows how to listen, and is always willing to help when he can.

He genuinely cares about his fiancée. It is very clear that he treats her with love, respect, and responsibility. He is hardworking and focused on building a stable life and future.

I know that Aina currently depends on him financially, and his absence creates serious financial and emotional hardship for her. They are planning to build a family and a life together, and he plays a very important role in her life.

From my personal experience knowing him, I can say that he is a good, decent person with strong values. He is someone who tries to do the right thing and truly cares about the people he loves.

If additional information is needed, I would be willing to provide it.

Sincerely,

DZERASSA BOKOEVA



A handwritten signature in black ink, appearing to be 'Dzerassa Bokoeva'.

# Tab S

**To Whom It May Concern,**

My name is **Nigara Nametova**, and I reside at [REDACTED]. I am writing this letter in support of **Mr. Alisher Smanov**, who [REDACTED] **2019**.

Our families have been close friends for many years. During this time, Alisher has always shown himself to be a kind, open-minded, and reliable person. He has consistently helped our family whenever we were in need and has always been supportive, respectful, and caring.

Alisher is a person with a very good reputation. He is honest, responsible, and well respected by everyone who knows him. His presence in the United States is extremely important to his family and close friends, as he provides both emotional and practical support. Our families truly rely on him, and his absence would be very difficult for those who depend on him.

I sincerely believe that Alisher Smanov is a person of good moral character and a positive member of our community. I respectfully ask that this letter be taken into consideration.

**Copy of ID attached.**

Please feel free to contact me if any additional information is required.

Sincerely,

**Nigara Nametova**

Signature:  \_\_\_\_\_

Date: \_\_\_\_\_

Tab T

## Reference Letter For Alisher Smanov

To whom it may concern,

My name is ILDAR SALIKHOV, my address [REDACTED] and I work in the trucking industry. I am writing this letter on behalf of Alisher Smanov.

I have known Alisher for about 9 months through our work. Within our company, Alisher is well respected. People know him as someone who works hard, stays professional, and does his job the right way. Many of us consider him one of the best employees, because he is responsible, dependable, and focused on his work. Alisher has earned a strong reputation among coworkers. He treats people with respect and is someone others trust. He takes pride in his work and always tries to improve himself.

I truly believe that Alisher will be released and will continue building his career and his family. He is the type of person who values stability, responsibility, and long-term goals.

I would not hesitate to support Alisher and speak positively about his character.

Address:

My phone number for any additional information: [REDACTED]



# Tab U

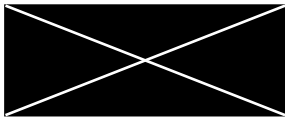
I, Izatulla Taubaldiev, confirm that Alisher Smanov is a close friend of mine, whom I have known for 4 years.

During the time I have known Alisher, he has always behaved as a calm, reliable, and responsible person. He has never shown aggressive behavior, never harmed anyone, and has always treated people with respect and fairness. He is polite in communication, keeps his word, and takes his responsibilities seriously.

Alisher is known for his balanced character, ability to work well with others, and his thoughtful response to difficult situations. He prefers peaceful and constructive solutions and avoids conflict. Because of this, he earns trust and respect both in everyday life and in professional environments.

I also know that Alisher's family depends on him, and his absence creates significant emotional and practical hardship for them. He plays an important role in supporting his loved ones and being present for his family. Based on my personal experience, I believe that Alisher Smanov is a decent, disciplined, and trustworthy person who deserves support and a fair opportunity to continue his life with his family.

February 3, 2026



A handwritten signature in grey ink, appearing to be 'Izatulla'.

# Tab V

## Reference Letter

02.03.2026

To Whom It May Concern,

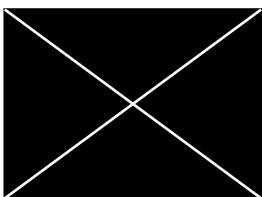
My name is Dzaurov Zakre, and I work as a truck driver. I am writing this letter in support of Alisher Smanov.

I have known Alisher for about one year, and we worked together in the trucking industry. During this time, I got to know him as a reliable and respectful person.

Alisher has a good reputation among coworkers. He is calm, responsible, and easy to work with. He always shows up on time, takes his work seriously, and treats people with respect. I have never seen him cause problems or act aggressively toward anyone.

From my experience, Alisher is a hardworking and decent person who tries to do the right thing. I believe he deserves support and a fair chance to continue working and living his life.

If any additional information is needed, I would be willing to provide it.



A handwritten signature in blue ink, appearing to be 'Dzaurov Zakre'.

# Tab W

## Reference Letter

Hello, My name is Kairat Matayev. I am a truck driver and worked with Alisher Smanov.

I have known Alisher for around one year through work. From the time I have known him, he has always been a good and respectful person. Alisher has a positive reputation among coworkers. He is calm, easy to communicate with, and always willing to help when needed. At one point, he helped me a lot during a difficult personal situation, and I truly appreciated his support. He takes his job seriously and is someone people can rely on.

Based on my experience working with him, I can say that Alisher is a hardworking, kind, and trustworthy person. I have only seen him act professionally and responsibly.

02.03.2026



A handwritten signature in cursive script, appearing to read 'Kairat'.

## Bond Sponsor Letter

02/03/2026

Dear Immigration Judge

My name is Nora Shakirova. I was born on  and I am a U.S. Citizen of the United States. I am currently employed at Sorin health LLC, 120 Wall Street, NY

I am writing this letter in support of Alisher Smanov, whom I have known through a close family friendship. I am also a close friend of his fiancée.

I understand the importance of ensuring that Alisher appears at all future immigration court hearings, and I am committed to helping ensure his full compliance with all court obligations. Additionally, I confirm that Alisher will have a stable place to live if any issues arise.

I also confirm that, if released, Alisher intends to live with his fiancée, and that he has a clear and stable plan for housing and support moving forward.

If a bond is set in this case, I am willing to act as a bond sponsor and assist with payment of the immigration bond, or financial support, if necessary.

Please feel free to contact me if any additional information is needed.

Respectfully submitted,

Nora Shakirova



# Matter of Guerra Evidence Matrix

*Matter of Guerra, 24 I&N Dec. 37, 40 (BIA 2006)*

<b>Respondent:</b> Alisher Smanov <b>A#</b> [REDACTED]	<b>Hearing Date:</b> February 5, 2026 <b>IJ:</b> Hon. Leila McNeill Mullican
---	---

**Legend:**  Green = Low Flight Risk  Orange = Factor Addressed with Mitigation Evidence

Guerra Factor	Evidence (Tab Reference)	Low Flight Risk	Danger
<b>Family ties in the U.S.</b>	Fiancée Ainagul Nugumanova (NY) - financially dependent on Respondent; LPR Sponsor Arystanbek Kaimoldayev willing to ensure attendance & provide housing (Tab G); Family friends since 2019 (Tab S - Nigara Nametova)	<input checked="" type="checkbox"/>	
<b>Ties to the community</b>	9 reference letters (Tabs N-W): Neighbors (Kanat Aimanov, Izatulla), coworkers (Ildar, Dzaurov Zakre, Kairat Matayev), friends (Nargiza, Dzerassa Bokoeva); Known in community as friendly, tidy, respectful	<input checked="" type="checkbox"/>	
<b>Employment history</b>	Trucker T [REDACTED] Artur Logistics Corp (Tab O); 1099-NEC showing [REDACTED] income in 2025 (Tab K); PA Commercial Driver's License (Tab C); Employer support letter confirms stable employment >1 year	<input checked="" type="checkbox"/>	
<b>Fixed address in the U.S.</b>	[REDACTED] Confirmed by: Bank of America statement, DMV correspondence, Bristol West Insurance, TD Auto Finance letter	<input checked="" type="checkbox"/>	
<b>Criminal record</b>	Dropped charge (Chicago, Nov 2023) - State Attorney abandoned prosecution (Tab X) for failure to establish guilt (Tab M - Letter from criminal defense attorney Aaron Rosenblatt); ICE reviewed & still released Respondent.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>History of immigration violations</b>	Released on ROR 02/02/2023 (Tab L); Complied with ALL ICE check-ins and court hearings for nearly 3 years; No failures to appear	<input checked="" type="checkbox"/>	
<b>Attempts to flee prosecution or escape</b>	NONE. Consistent compliance with ICE reporting requirements from Feb 2023 through detention; Enrolled in ATD program as required	<input checked="" type="checkbox"/>	
<b>Manner of entry &amp; length of time in U.S.</b>	Entered 01/30/2023 at Calexico, CA; Passed credible fear interview; Nearly 3 years continuous presence in U.S.; NTA issued after positive credible fear finding (Tab E)	<input checked="" type="checkbox"/>	
<b>Eligibility for relief from removal</b>	Pending Asylum application (I-589 filed within 1 year - stamped 01/16/2024) (Tab F); Withholding of Removal; CAT protection; 5-year EAD valid through 07/14/2029 (Tab I - Class C08)	<input checked="" type="checkbox"/>	
<b>Financial obligations &amp; responsibilities</b>	Credit and loan payments (per fiancée letter Tab N); Financially supports fiancée's new business; TD Auto Finance account; Insurance payments	<input checked="" type="checkbox"/>	
<b>Education &amp; professional background</b>	Bachelor's Degree in Economics, International Economics and Trade (Tab D); Prior employment as Deputy General Director in Kazakhstan; PA CDL holder	<input checked="" type="checkbox"/>	
<b>Prior ICE release decision</b>	ICE released on ROR 02/02/2023 (Tab L) with full knowledge of entry circumstances; ICE declined to detain for almost 3 years while Respondent built his life and awaited asylum hearing	<input checked="" type="checkbox"/>	

**Summary:** Respondent demonstrates overwhelming evidence of low flight risk: LPR sponsor, fiancée dependent on him financially, \$50,000+ annual income, fixed Philadelphia address, PA Commercial Driver's License, 5-year EAD, and nearly 3 years of perfect compliance with ICE check-ins and court appearances. The only potential danger factor (dropped Chicago charge) was abandoned by prosecution and [REDACTED] determined Respondent was not a danger when it released him on ROR. Sponsor information on Tab Y at p. 112 (salary [REDACTED]).

**Recommended Bond: \$1,500**

Alisher Smanov A 

**CERTIFICATE OF SERVICE**

I, Adam Boyd, Esq., hereby certify that on February 4, 2026, this document was electronically filed through ECAS and both parties are participating in ECAS. Thus, ECAS will automatically send service notifications to both parties that a new document has been filed and the parties do not need to separately serve any electronically filed documents to each other. For purposes of ECAS service, DHS is always considered to be participating in ECAS. See Immig Ct. Practice Manual Ch. 3.2(a)(1), (e)(1).

Document Name: Respondent's Notice of Intent to Offer Evidence  
Date: February 4, 2026

Respectfully submitted,

/s Adam Boyd

---

Adam Boyd  
*Counsel for Respondent*



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
ELIZABETH IMMIGRATION COURT

Respondent Name:  
SMANOV, ALISHER

To:  
Boyd, Adam Robert  
1528 Walnut Street  
Suite 1701  
Philadelphia, PA 19102

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

02/05/2026

Unable to forward - no address provided.

Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

Board of Immigration Appeals  
Office of the Clerk  
P.O. Box 8530  
Falls Church, VA 22041

Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

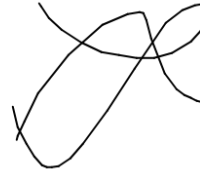
Immigration Court

Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.

Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.

Other:

Date: 02/05/2026

A handwritten signature in black ink, consisting of several overlapping loops and lines, positioned to the right of the date.

Immigration Judge: MULLICAN, LEILA 02/05/2026

### Certificate of Service

This document was served:

Via:  M ] Mail |  P ] Personal Service |  E ] Electronic Service |  U ] Address Unavailable

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

Respondent Name : SMANOV, ALISHER | A-Number : 

Riders:

Date: 02/05/2026 By: ARANGO, HAROLD, Court Staff



**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
ELIZABETH IMMIGRATION COURT**

Respondent Name:

SMANOV, ALISHER

To:

Boyd, Adam Robert  
1528 Walnut Street  
Suite 1701  
Philadelphia, PA 19102

A-Number:



Riders:

In Custody Redetermination Proceedings


Date:

02/05/2026

**ORDER OF THE IMMIGRATION JUDGE**

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because  
Danger and flight risk
  
- Granted. It is ordered that Respondent be:
  - released from custody on his own recognizance.
  - released from custody under bond of \$
  - other:
  
- Other:



Immigration Judge: MULLICAN, LEILA 02/05/2026

Appeal:	Department of Homeland Security:	<input checked="" type="checkbox"/>	waived	<input type="checkbox"/>	reserved
	Respondent:	<input type="checkbox"/>	waived	<input checked="" type="checkbox"/>	reserved

Appeal Due: 03/09/2026

**Certificate of Service**

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

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

Respondent Name : SMANOV, ALISHER | A-Number : 

Riders:

Date: 02/05/2026 By: ARANGO, HAROLD, Court Staff

# How Trump is rigging immigration courts against Somali migrants

JUDD LEGUM  
FEB 09, 2026

413 32 125 Share



(Photo by Adam Gray/Getty Images)

During a December 2 cabinet meeting, President Trump unleashed [a torrent of bigoted invective](#) against Somali migrants. “We’re going to go the wrong way if we keep taking in garbage into our country,” Trump said. “They come from hell, and they complain and do nothing but bitch.”

At the same meeting, Trump made clear that he wanted all Somalis to be kicked out of the United States. “I don’t want them in our country,” Trump announced. “Their country is no good for a reason. Their country stinks, and we don’t want them in our country.”

At a December 10 event in Pennsylvania, Trump [repeated his dehumanizing tirade](#), calling Somalia a “shithole” nation. “The Somalians should be out of here,” Trump said, describing their homeland as “filthy, dirty, disgusting, [and] ridden with crime.”

It is clear what Trump wants, but all migrants in the United States have due process rights under federal law. Specifically, Somali migrants have the right to appear before an immigration judge and seek asylum based on a well-founded fear of persecution based on race, religion, political views, or another protected category. This is a particular risk in Somalia, where al-Shabaab, an Islamist militant group, is responsible for hundreds of thousands of civilian casualties.

The Trump administration, however, appears to be manipulating the judicial process to dramatically reduce the chance that Somali immigrants are granted asylum.

Matthew Hoppock is an [immigration lawyer based in Kansas City](#). He currently represents eight Somali migrants in immigration court. On February 4, Hoppock said that all his cases had been [reassigned to a new immigration judge](#). While the cases will still be heard in Kansas City, this new judge will preside via video conference from Louisiana. According to Hoppock, other immigration lawyers representing Somalis have had their cases reassigned to the same judge on the same day.

The judge who will now be hearing these cases involving Somali migrants is Sherron Ashworth, Popular Information has learned. Ashworth is a former ICE prosecutor with a track record of quickly rejecting most asylum claims and accepting the Trump administration’s most specious legal arguments.

Unlike other court systems, immigration courts are run by the Department of Justice (DOJ) under the [Executive Office of Immigration Review](#) (EOIR). Although it is normally handled as a bureaucratic matter, the DOJ and Attorney General Pam Bondi can reassign immigration cases.

## Who is Sherron Ashworth?

Ashworth was first [appointed](#) as an immigration judge in July 2020. She was named to the post as part of a cohort of 46 immigration judges by former Trump Attorney General William Barr. She was hired as part of a push by the first Trump administration to install immigration judges more skeptical of asylum claims. From 2009 to 2020, Ashworth worked as a prosecutor for ICE.

Ashworth has delivered. Between 2020 and 2025, Ashworth has [rejected 85.3% of asylum claims](#). Nationally, the average rejection rate was 58.9%. In 2025, Ashworth denied asylum in more than 95% of cases.

Her work has not gone unnoticed. In January 2026, the DOJ [promoted](#) Ashworth to Acting Assistant Chief Immigration Judge, overseeing the cases for several Louisiana immigration courts. This is a critical position because there is a high concentration of immigration detention centers in the Louisiana area, making these courts a major hub of activity.

## Ashworth and the case of Rümeyşa Öztürk

Rümeyşa Öztürk, a 30-year-old Turkish national and Fulbright scholar, was a student at Tufts University when, on March 25, 2025, she was [apprehended by six plainclothes ICE agents](#) and handcuffed. Over the next 24 hours, she was transported over 1,300 miles to the South Louisiana ICE Processing Center in Basile. That facility is overseen by the Oakdale Immigration Court, meaning Öztürk's detention proceedings would be considered by Ashworth.

Secretary of State Marco Rubio said that he had [summarily revoked](#) Öztürk's visa because she was a "lunatic." Öztürk's lawyers say she was never notified that her

visa was revoked.

Lawyers representing Öztürk sought her release on bond. But Ashworth rejected that request, finding that Öztürk was “[both a flight risk and a danger to the community](#).” Ashworth’s decision was based entirely on a Department of State memorandum, which only cited Öztürk’s co-authorship of a 2024 student op-ed critical of Tufts’ stance on Israel and Palestine.

A March State Department memo, later [reported](#) in the Washington Post, “determined that the Trump administration had not produced any evidence showing that she engaged in antisemitic activities or made public statements supporting a terrorist organization.” Further, according to the memo, “Rubio did not have sufficient grounds for revoking Öztürk’s visa.”

In May, after being detained for six weeks, Ashworth’s decision was effectively [overturned](#) by a federal district court judge. District Judge William Sessions said there were “very substantial” and “very significant” claims that Öztürk’s First Amendment rights were violated. “Her continued detention cannot stand,” Sessions said. “There has been no evidence that has been introduced by the government other than the op-ed. I mean, that literally is the case.”

## **More Somalis may end up in immigration court after March**

On January 13, the Trump administration [announced](#) that it was ending Temporary Protected Status (TPS) for Somali nationals. TPS is a humanitarian measure used to protect migrants who would not be safe if they returned to their home country. It has been afforded to Somali nationals since 1991, but will expire on March 17.

“Allowing Somali nationals to remain temporarily in the United States is contrary to our national interests,” Department of Homeland Security Secretary Kristi Noem said. “We are putting Americans first.”

TPS currently benefits about [2,400 Somalis](#), according to ABC News. Once TPS expires in March, this group could be subject to deportation. Somalis will still be able to argue for asylum on a case-by-case basis in light of the ongoing violence in their home country. It is not known how many Somalis will seek asylum after TPS expires, or whether those cases will also be diverted to Ashworth.

In his derogatory comments, Trump has not distinguished between undocumented Somali migrants and other Somalis living in the U.S. According to U.S. Census data, about 80% of the foreign-born Somali population — 93,000 of 115,000 — are [naturalized U.S. citizens](#).

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Comments	Restacks
----------	----------



Write a comment...



Joseph Mangano  11h ...

The observation that Trump hasn't distinguished between Somali migrants and citizens, whether naturalized or born on American soil, is a salient one. There are no assurances that this administration will do its due diligence in checking people's legal status before trying to deport them. As a result, the humanitarian crisis in the United States is primed to get that much worse.



 LIKE (57)  REPLY

 SHARE



Dave Kirkpatrick  11h ...

tRUmp is turning the US into hell, and all he does is bitch and complain (and lie and commit crimes).

 LIKE (50)  REPLY

 SHARE

1 reply

30 more comments...

← Post



**Matthew Hoppock**  
@hoppock.bsky.social

Follow

I'm not sure what to make of it, but every Somali I represent in immigration court currently (8 of them) have today had their hearings cancelled and their judges reassigned. They're now all assigned to a video judge from Louisiana and scheduled for court hearing in one month. 🧵

3:01 PM · Feb 4, 2026 🌐 Everybody can reply

690 reposts 67 quotes 1.5K likes 92 saves

💬 29

↻ 757

❤️ 1.5K



**Matthew Hoppock** @hoppock.bsky.social · 5d

I have never seen anything like it. I don't know what's actually going on, but several attorneys reached out to me this morning and said all of their Somali clients were also transferred to the same judge and now have court on the same date in March. And I don't know for sure why. But it's chilling

💬 11

↻ 195

❤️ 896



**Matthew Hoppock** @hoppock.bsky.social · 5d

Within a month of our President calling all Somalis "garbage," saying "they contribute nothing" that "they come from hell," "I don't want them in our country," the DOJ appears to be creating a separate process for deportation proceedings based on nationality just for Somalis.

💬 7

↻ 290

❤️ 980



**Matthew Hoppock** @hoppock.bsky.social · 5d

The Supreme Court settled this in 1954 (Accardi): immigration judges are supposed to be neutral. If they bend to the executive's whims instead of acting neutrally, deporting people bc the President dislikes them, the deportations are unlawful. [supreme.justia.com/cases/federa...](https://supreme.justia.com/cases/federa...)



# Judge in Minnesota Says ICE Has Violated Nearly 100 Court Orders

A federal judge said ICE had disobeyed more judicial directives this month than “some federal agencies have violated in their entire existence.”

 Listen to this article · 3:09 min [Learn more](#)



By Alan Feuer

Jan. 28, 2026

The chief federal judge in Minnesota excoriated Immigration and Customs Enforcement on Wednesday, saying it had violated nearly 100 court orders stemming from its aggressive crackdown in the state and had disobeyed more judicial directives in January alone than “some federal agencies have violated in their entire existence.”

The extraordinary broadside by the judge, Patrick J. Schiltz, came in a ruling in which he temporarily rescinded an order he had issued on Tuesday, summoning Todd Lyons, the acting director of ICE, to appear in front of him to explain why he should not be held in contempt for violating so many orders arising from the Trump administration’s hard-line immigration actions in Minnesota.

While Judge Schiltz, a conservative jurist appointed by President George W. Bush, let Mr. Lyons off the hook for the moment, he cautioned that he might change his mind and order him to appear again to answer questions if ICE continues to violate court orders.

“ICE is not a law unto itself,” the judge wrote. “ICE has every right to challenge the orders of this court, but, like any litigant, ICE must follow those orders unless and until they are overturned or vacated.”

Judge Schiltz attached to his ruling a list of 96 court orders from 74 different immigration cases that ICE has failed to follow since Jan. 1. He noted that his tally was “almost certainly substantially understated” because it had been “hurriedly compiled by extraordinarily busy judges.”

“This list should give pause to anyone — no matter his or her political beliefs — who cares about the rule of law,” Judge Schiltz added.

The federal courts in Minnesota have been deluged this month by legal cases filed by immigrants swept up in the administration’s dragnet. Some of the immigrants have sought to avoid being sent out of the state by federal agents, while others have complained they were wrongfully detained.

Judge Schiltz’s initial order demanding that Mr. Lyons appear in front of him on Friday arose in the case of Juan Hugo Tobay Robles, an Ecuadorean man who entered the United States illegally nearly 30 years ago and was taken into custody by immigration agents on Jan. 6. Judge Schiltz determined that ICE had detained Mr. Tobay Robles under an improper reading of federal law and two weeks ago instructed federal officials either to let him challenge his detention or release him.

After that failed to happen, the judge told Mr. Lyons to appear in front of him. But he provided a way out. He said that if Mr. Tobay Robles were quickly released, he would cancel the hearing with Mr. Lyons.

Mr. Tobay Robles was, in fact, released from ICE custody in Texas on Tuesday afternoon, his lawyer, Graham Ojala-Barbour, wrote in a letter to Judge Schiltz on Wednesday. But even though his client was free, Mr. Ojala-Barbour asked Judge Schiltz to hold a contempt proceeding with Mr. Lyons, saying the administration’s “failures to comply with this court’s orders” had led to “significant hardships” for the immigrants involved.

**Alan Feuer** covers extremism and political violence for The Times, focusing on the criminal cases involving the Jan. 6 attack on the Capitol and against former President Donald J. Trump.





## Matthew L. Hoppock

### Owner

Matthew Hoppock is a seasoned immigration advocate and litigator. He focuses his work on serving immigrants, their families, and their employers across the United States, with a particular emphasis on appeals to the federal Circuit Courts of Appeals, appeals before the Board of Immigration Appeals and the AAO and litigating immigration issues in the federal courts. Matthew also consults with other attorneys on appellate strategy and brief-writing on a contract basis.

Matthew is a native Kansan and graduated from Salina Central High School. He studied philosophy at Kansas State University and obtained his law degree from the University of Kansas.

## Education

- J.D. University of Kansas, 2008
- BA Kansas State University, Philosophy, 2005
- Admitted to Practice by the State of Kansas
- U.S. District Court for the District of Kansas and the Western District of Missouri
- Circuit Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and Eleventh Circuits.
- Admitted to practice before the U.S. Supreme Court

## Professional Recognition

- Selected to “SuperLawyers” Rising Stars each year since 2012
- Member, American Immigration Lawyers Association (AILA)

- Chair-Elect, Kansas/Missouri AILA Chapter,
- Member, AILA Litigation Section Steering Committee
- Past-President, Immigration Law Section of the Kansas Bar Association

## Publications and Seminars

"Litigating Immigration Cases in Federal Court" CLE for Kansas and Missouri Chapter of American Immigration Lawyers Association (2015)

"Federal Litigation for Immigration Attorneys" – AILA Omaha Chapter Conference (2014)

"Particular Social Groups after Matter of MEVG and Matter of WGR," CLE for Kansas and Missouri Chapter of American Immigration Lawyers Association (2014)

"Best Practices in Stays of Removal and Filing Form I-246" CLE for Kansas and Missouri Chapter of American Immigration Lawyers Association (2013)

"Witness Protection & UN Convention Against Transnational Organized Crime" CLE Sponsored by American Immigration Lawyers Association (2012)

"Asylum, VAWA, and U Visas," CLE Sponsored by Husch Blackwell (2011) "Forgotten Social Groups," 4 J. Migration & Refugee Issues 126 (2008)



## In the News:



“For more than two decades, Sigifredo Saldana Iracheta, 49, insisted he was a US citizen, repeatedly explaining to immigration officials that he was born to an American father and a Mexican mother in a city just south of the Texas border ... In rejecting Saldana’s bid for citizenship, the government sought to apply an old law that cited Article 314 of the Mexican Constitution, which supposedly dealt with legitimizing out-of-wedlock births. But there was a problem: The Mexican Constitution has no such article.

The error appears to have originated in 1978, and it has been repeated since, frustrating an untold number of people who are entitled to US citizenship but could not get it.

“What this looks like is nobody’s ever checked it out. And it is shocking,” said Matthew Hoppock, a Kansas City lawyer who specializes in appeals related to immigration issues.”

### The Boston Globe



“We don’t dispute that he has a final order of removal,” Hoppock said. “And we don’t dispute that legally they have the right to deport him if they want to. But doing so, before getting an answer on DAPA, is highly contrary to the president’s public statements.”

The final order for removal remained in place Friday, and it is difficult for his family to accept.

“He’s trying to lead a life like all of us here,” said Jimenez, his niece. “I don’t think it (deporting) is right for people who want to do better here. Take the people who are doing bad things here.”

### The Kansas City Star



“Although we had hoped the court would permit review of the way the USCIS has implemented the Adam Walsh Act to separate families in a way contrary to the statute, the Eighth Circuit agreed with us that the statute might not even apply to the visa petitions at

issue here,” he said. “As we had argued, the statute only limits the filing of a visa petition when the visa petitioner has a specific conviction. Our clients’ visa petitions had already been filed and receipted by the USCIS.”

Now that the Eighth Circuit has agreed that the courts have jurisdiction to review this specific issue, Hoppock said they will take it back to the district court.

“If the statute is read as worded, hopefully our clients will be able to have the visa petition approved and can remain together as a married couple,” he said.

**Law 360**

## Set up a Consultation

If you would like to schedule a consultation with Matthew Hoppock, please call our office or click the button below.

Contact us

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