

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

SOHEILIESTAHBANATI,

Behnaz

A 

Petitioner,

v.

Pamela Jo Bondi,

Attorney General of the

United States of America,

Kristi Noem,

Secretary of the Department of

Homeland Security, (DHS),

Todd Lyons,

Acting Director,

United States Immigration and

Customs Enforcement (ICE),

Miguel Vergara,

Field Office Director,

San Antonio Field Office,

United States Immigration and

Customs Enforcement (ICE) and,

Warden of the

ERO Karnes County Immigration

Processing Center

Respondents.

Civil Action No. 5:26-cv-154

PETITION FOR WRIT OF HABEAS
CORPUS

INTRODUCTION

1. This is a petition for a writ of habeas corpus filed on behalf of Ms. Behnaz Soheiliestahbanati (hereinafter “Petitioner”) seeking relief to remedy her unlawful detention pursuant to 28 U.S.C. § 2241. Petitioner seeks her immediate relief from custody.

2. Petitioner is a native and citizen of Iran. She has lived in the United States for more than 3 years after she fled Iran and then Ecuador and entered the United States. This habeas is being filed for urgent intervention.

3. Petitioner was granted withholding of removal under the Convention Against Torture on November 29, 2022. *See* Tab A, Order of the Immigration Judge. In the alternative, the Immigration Judge ordered her removed to Ecuador. However, the Government of Ecuador declined to accept her because she lacks any lawful status there and Ecuador is unwilling to receive her as a deportee. *Id.* Consequently, Petitioner was released under an Order of Supervision (“OSUP”) and has fully and consistently complied with all reporting and other conditions since her release.

4. On or around June 25, 2025, Ms. Behnaz Soheiliestahbanati, was suddenly seized at the time of driving to her place of employment. Despite there being no realistic prospect of removing Ms. Behnaz Soheiliestahbanati to Iran or Ecuador, she remains detained by ICE at the ERO Karnes County Immigration Processing Center in Karnes, Texas.

5. Respondents abruptly and without justification detained Ms. Behnaz Soheiliestahbanati, for the purported purpose of removing her to Ecuador, a goal the government failed to accomplish nearly four years ago when the statutory period for removal expired following the issuance of a final order of removal.

6. During her more than three years (3) in the United States, not only has Ms. Behnaz Soheiliestahbanati obtained Withholding of Removal, but she has been successfully complying with an OSUP under the Department of Homeland Security’s U.S Immigration and Customs Enforcement. Despite her complying with the terms of supervised release, Ms. Behnaz

Soheiliestahbanati, has been in prolonged detention. *See Tab B – Evidence of ICE Check ins Compliance.*

7. This re-detention constitutes a flagrant and ongoing violation of the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(6), as interpreted by the Supreme Court in *Zadvydas v. Davis*, 533 U.S. 678 (2001), and the mandatory regulatory procedures governing re-detention set forth in 8 C.F.R. § 241.13(h). The government's renewed attempt to remove Ms. Behnaz Soheiliestahbanati rests on a legal fiction, squarely contradicted by its own long failure to effectuate removal. Her continued confinement, therefore, is not administrative in nature but punitive, indefinite, and unconstitutional. Each additional day of this unlawful detention inflicts new and irreparable injury through the profound deprivation of liberty and the forced separation from her U.S. citizen family (sister). Accordingly, good cause exists for this Court to grant the Petition for a Writ of *Habeas Corpus* and to enjoin ICE from continuing to detain Ms. Soheiliestahbanati in violation of the Constitution and laws of the United States.

JURISDICTION

8. Petitioner is in the physical custody of Respondents. Petitioner is detained at the ERO Karnes County Immigration Processing Center in Karnes County, Texas.

9. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

10. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and 28 U.S.C. § 1261, the All Writs Act.

VENUE

11. Venue lies in the United States District Court for the Western District of Texas, the judicial district in which Petitioner is currently detained. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973). (finding proper venue lies in the judicial district in which Petitioner is currently detained).

12. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Western District of Texas. Respondent Warden of the Ero Karnes County Immigration Processing Center has their principal place of business in Karnes City, Texas.

REQUIREMENTS OF 28 U.S.C. § 2243

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

14. *Habeas corpus* is “perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. Immigr. Nationalities Svc.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

15. Respondent Pamela Jo Bondi is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review (EOIR)—and the immigration court system it operates—is a component agency.

16. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms. Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

17. Respondent Todd Lyons is the Acting Director of the United States Immigration and Customs Enforcement, which is the agency responsible for Petitioner's detention. Mr. Lyons has custodial authority over Petitioner and is sued in his official capacity.

18. Respondent Miguel Vergara is the Director of the San Antonio Field Office of ICE's Enforcement and Removal Operations division and is the federal official with supervisory authority over the ERO Karnes County Immigration Processing Center, a contract facility. As such, Mr. Vergara is Petitioner's immediate legal custodian and is responsible for Petitioner's detention and removal and he is named in his official capacity.

19. Respondent Warden of the ERO Karnes County Immigration Processing Center, is the warden of a detention facility owned and operated by DHS and is the Petitioner's immediate physical custodian and is named in their official capacity.

LEGAL FRAMEWORK

20. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

21. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally

entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, *see* § 1226(c).

FACTUAL BACKGROUND

22. Petitioner, Ms. Behnaz Soheiliestahbanati, is a citizen and national of Iran and while she lived in Ecuador for about four years before entering the United States, she never obtained Ecuadorian nationality.

23. On or about March 20, 2022, Ms. Behnaz Soheiliestahbanati entered the United States without being admitted or paroled. She was apprehended by immigration authorities and placed into removal proceedings. She remained detained until approximately November 29, 2022, at which time she was granted withholding of removal under the Convention Against Torture, thereby barring her removal to Iran. The Immigration Judge nevertheless ordered her removed to Ecuador in the alternative, based solely on the length of time she had previously resided there. However, the extensive documentary evidence submitted in support of her asylum claim demonstrates that Ecuador is not a safe country for her. [REDACTED]

[REDACTED]

[REDACTED].

Petitioner's daughter remains in the United States currently.

24. On or about November 29, 2022, Ms. Behnaz Soheiliestahbanati was released on order of supervision, after DHS was unable to effectuate her removal Ecuador.

25. On June 25, 2025, Petitioner was detained while en route to her place of employment. She has no prior criminal history, violations, or interactions with law enforcement in the United States.

26. On June 27, 2025, evidence to ICE was submitted that the Government of Ecuador would not accept Respondent as a deportee. *See Tab C – Ecuadorian Communication Establishing Inability to Accept Petitioner as Deportee.*

27. On July 24, 2025, a request to ICE was submitted to release Behnaz on an Order of Supervision and included proof of her identification, evidence that she did not have status in Ecuador, nor would she be accepted for removal to that country, and proof of her ties to the community in the United States. However, ICE denied this request on October 6, 2025, and issued a Decision to Continue Detention. *See Tab D - Copy of ICE Decision to Continue Detention.*

28. Additionally, Behnaz does not have a valid travel document as her Iranian passport expired on November 30, 2025. *See Tab E – Copy of Expired Passport.*

29. Petitioner originally sought asylum [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]r. She was subsequently granted withholding of removal to Iran and ordered removed in the alternative to Ecuador; however, removal to Ecuador has never been effectuated because there is no lawful means for her to obtain travel authorization to that country.

30. Behnaz's detention is clear in violation of 8 C.F.R. § 241.13(a) and (b), and 8 C.F.R. § 241.13(i)(1) as Behnaz's 90 days "removal period" has long passed and she had not violated the terms of her OSUP. Moreover, Behnaz has complied with the requirements on section 241(a)(2)(3).

31. Behnaz cannot be removed to Iran, as the Immigration Judge has already ordered withholding of removal to that country, nor can she be removed to Ecuador, as the Government of Ecuador has stated that it will not accept her. DHS has failed to identify or establish the availability of any third country to which Behnaz could be removed [REDACTED]

32. Moreover, since DHS has not followed the minimal due process to revoke OSUP and to deprive Behnaz of her liberty, it is clear that “there is no likelihood he or she be removed in the reasonably foreseeable future, or that she has not violated the order of supervision.” 8 C.F.R. § 241.13(i)(1).

33. Ms. Behnaz Soheiliestahbanati is a respected and trusted member of her community. She is known as a hard-working, responsible, honest, and reliable employee. She has consistently complied with all federal and state tax obligations, timely filing her income tax returns throughout her residence in the United States. Ms. Behnaz Soheiliestahbanati is also an active community member.

34. Throughout more than 3 years in the United States, Ms. Behnaz Soheiliestahbanati has fully complied with all immigration Orders of Supervision Terms and reporting requirements. She has no disciplinary infractions, poses no risk to public safety, and is not a flight risk

35. For all of the foregoing reasons, Behnaz should be immediately released from DHS custody. Her continued detention violates the Constitution, including her substantive and procedural due process rights, as there is no significant likelihood of removal in the reasonably foreseeable future. She has consistently complied with all immigration requirements, including appearing at every ICE check-in, and was previously released each time without incident. She

poses no flight risk or danger to the community, and there is no realistic or lawful destination to which she can be removed. Under these circumstances, continued detention serves no legitimate governmental purpose. Both constitutionally and as a matter of basic human decency, release is the only lawful and just outcome.

LEGAL FRAMEWORK

Due Process Principles related to re-detention

1. Due process requires that if DHS seeks to re-arrest a person like Ms. Behnaz Soheiliestahbanati — individuals who have lived in the United States without incident after DHS first released them, submitted applications for protection from removal, and otherwise complied with the terms of their releases—the government must afford a hearing before a neutral decisionmaker to determine whether any re-detention is justified, and whether the person is a flight risk or danger to the community.
2. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty protected by the Due Process Clause.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
3. Consistent with this principle, individuals released on parole or other forms of conditional release have a liberty interest in their “continued liberty.” *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).
4. Such liberty is protected by the Fifth Amendment because, “although indeterminate, [it] includes many of the core values of unqualified liberty,” such as the ability to be gainfully employed and live with family, “and its termination inflicts a ‘grievous loss’ on the [released individual] and often on others.” *Id.*

5. To protect against arbitrary re-detention and to ensure the right to liberty, due process requires “adequate procedural protections” that test whether the government’s asserted justification for a noncitizen’s physical confinement “outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (citation modified).

6. Due process thus guarantees notice and an individualized hearing before a neutral decisionmaker to assess danger or flight risk before the revocation of an individual’s release. *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) (“The fundamental requisite of due process of law is the opportunity to be heard . . . at a meaningful time in a meaningful manner.” (citation modified)); see also, e.g., *Morrissey*, 408 U.S. at 485 (requiring “preliminary hearing to determine whether there is probable cause or reasonable ground to believe that the arrested parolee has committed . . . a violation of parole conditions” and that such determination be made “by someone not directly involved in the case” (citation modified)).

7. Several courts, including this one, have recognized that these principles apply with respect to the re-detention of the many noncitizens that DHS has arbitrarily begun taking back into custody, often after such persons have been released for months and years.

8. For example, the re-detention of the Petitioner constitutes a clear violation of the Due Process Clause of the Fifth Amendment. As the Supreme Court recognized in *Zadvydas v. Davis*, 533 U.S. 678 (2001), freedom from physical restraint lies at the core of liberty protected by the Constitution, and any deprivation of liberty must be accompanied by meaningful procedural protections. Detention without a hearing—particularly when the individual has not been determined to be a danger or flight risk—risks the erroneous deprivation of liberty and undermines the very purposes that detention is intended to serve.

9. In *Shi v. Lyons*, No. 1:25-CV-274, 2025 WL 3637288, at *7 (S.D. Tex. Dec. 12, 2025), the court emphasized that even in situations where detention might be deemed mandatory, the risk of erroneous deprivation is high in the absence of a hearing. The absence of a bond hearing can cause irreparable harm, because the hearing is *essential* to ensure that the detention serves its intended purposes: preventing danger to the community and flight risk. In *Lyons*, the Southern District of Texas affirmed that noncitizens retain constitutional protections under the Due Process Clause and ruled in favor of the alien, noting that the balance of equities and public interest favored the individual because he posed no threat to public safety.

10. Similarly, in *Sagastizado v. Noem*, No. 5:25-CV-00104, 2025 WL 2957002, at *9 (S.D. Tex. Oct. 2, 2025), a Salvadoran immigrant previously granted withholding of removal challenged his detention. The court held that due process required the individual be afforded the opportunity for Immigration Judge review, regardless of ICE's determination regarding repatriation. The court reiterated that the Due Process Clause applies to all persons in the United States, including aliens—whether lawful, unlawful, temporary, or permanent—and that deprivation of liberty must be preceded by notice and an opportunity for a hearing appropriate to the circumstances.

11. Further, *Nielsen v. Preap*, 586 U.S. 392, 419 (2019), reaffirmed that detention violates due process absent adequate procedural safeguards or compelling justification outweighing the constitutionally protected interest in liberty. While the Court in *Preap* ruled against the aliens in that particular context, it reinforced the enduring relevance of *Zadvydas* and the principle that procedural protections are critical whenever the government seeks to restrain an individual physically. In this case, the respondent was re-detained without the benefit of a hearing or individualized determination of danger or flight risk. Consistent with the reasoning in

Shi, Sagastizado, Preap, and Zadvydas, such re-detention is constitutionally infirm. The lack of procedural safeguards not only risks the erroneous deprivation of liberty but also fails to ensure that the stated purposes of detention—protection of the community and assurance of appearance—are properly served.

12. Therefore, the same framework and principles apply here and compel Petitioner's immediate release.

CLAIM FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

13. Petitioner restates and realleges all the prior paragraphs as if fully set forth herein.

14. Due process does not permit the government to re-detain Petitioner and strip her of her liberty without written notice and a pre-deprivation hearing before a neutral decisionmaker to determine whether re-detention is warranted based on danger or flight risk. See *Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur prior to any re-detention.

15. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraining—lies at the heart of the liberty that the Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

16. Petitioner has a fundamental interest in liberty and being free from official restraint.

17. The government's detention of Petitioner violates her right to due process.

18. Respondents revoked Petitioner's release and deprived her of liberty without providing written notice and a meaningful opportunity to be heard by a neutral decisionmaker prior to their re-detention.

19. Accordingly, Petitioner's re-detention violates the Due Process Clause of the Fifth Amendment.

Count II

Violation of Immigration and Nationality Act, 8 U.S.C. § 1231(a) 74.

20. Ms. Behnaz Soheiliestahbanati is detained under 8 U.S.C. § 1231, the statute governing detention following a final order of removal.

21. The statute requires mandatory detention only during the 90-day removal period. 8 U.S.C. § 1231(a)(2). Ms. Behnaz Soheiliestahbanati is not subject to this provision.

22. Section 1231(a)(3) requires that a noncitizen who is not removed within that period "shall be subject to supervision under regulations prescribed by the Attorney General."

23. While § 1231(a)(6) permits detention beyond the removal period in certain situations, "once removal is no longer reasonably foreseeable, continued detention is longer authorized by statute." *Zadvydas*, 533 U.S. at 699.

24. Detention is presumptively reasonable only for a six-month period. *Id.* at 700–01.

25. Neither the statute nor the Due Process Clause permits Respondents to re-detain an individual who has been released under § 1231 without evidence that the person's removal is now reasonably foreseeable.

26. Ms. Behnaz Soheiliestahbanati's removal is not reasonably foreseeable because no valid travel document exists permitting her removal to either Iran or Ecuador. As a result, her re-detention violates the Immigration and Nationality Act. Moreover, she has not been removed

since the issuance of the removal order in or around November 2022—nearly three years ago—further demonstrating that removal is not reasonably foreseeable. This is particularly so given that she lacks both a travel document and any lawful means of entry into Ecuador.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Grant a writ of *habeas corpus* and order Respondents to immediately release Ms. Behnaz Soheiliestahbanati absent a demonstration to this Court that his removal is imminent;
- c. Declare that Respondents have violated the Due Process Clause, the INA, and its implementing regulations in re-detaining him;
- d. Enjoin Respondents from transferring Petitioner without her consent outside of this judicial district pending litigation of this matter;
- e. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- f. Grant any other and further relief that this Court deems just and proper.

Dated: January 13, 2026

/s/ Ruby L. Powers
Ruby L. Powers
Texas Bar No. 24057581
Powers Law Group, P.C
1311 Enid Street Houston, Texas 77009
Tel. (713) 589-2085
Fax. (713) 589-3101

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TAB A



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
SAN ANTONIO IMMIGRATION COURT

Respondent Name:
SOHEIL IESTAHBANATI, BEHNAZ

To:

Waldron, John Francis
3201 Cherry Ridge
Suite A-109
San Antonio, TX 78230

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

11/29/2022

ORDER OF THE IMMIGRATION JUDGE

- ☐ This is a summary of the oral decision entered on _____ This memorandum is solely for the convenience of the parties. The oral or written Findings, Decision, and Orders is the official opinion in this case.
- ☒ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

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

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

☒ Asylum was ☐ granted ☐ denied ☒ withdrawn.

☒ Withholding of Removal under the INA was ☐ granted ☐ denied ☒ withdrawn.

☒ Withholding of Removal under the Convention Against Torture was ☒ granted ☐ denied ☐ withdrawn.

☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences.

B. Cancellation of Removal

☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn.

☐ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was

- ☐ granted ☐ denied ☐ withdrawn.
- ☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was
☐ granted ☐ denied ☐ withdrawn.

C. Waiver

- ☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn.

D. Adjustment of Status

- ☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn.

E. Other

Removal to IRAN is withheld as the Court has granted Withholding of Removal under the Convention Against Torture.

III. Voluntary Departure

- ☐ Respondent's application for ☐ pre-conclusion ☐ post-conclusion voluntary departure was
☐ denied ☐ granted
- ☐ Further information regarding voluntary departure is attached.

Respondent shall depart the United States without expense to the Government by

Respondent shall post a departure bond in the amount of with the DHS on or before

IV. Removal

- ☒ Respondent was ordered removed to Iran.
- ☒ In the alternative, Respondent was ordered removed to Ecuador.

V. Other

- ☐ Proceedings were ☐ dismissed ☐ terminated ☐ administratively closed.
- ☐ Respondent was advised of the limitation on discretionary relief for failure to appear as ordered.
- ☐ Respondent's status was rescinded under INA § 246.
- ☒ Other:

Removal to IRAN is withheld as the Court has granted Withholding of Removal under the Convention Against Torture.

Y. Adams

Immigration Judge: Adams, Justin 11/29/2022

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

Appeal Due:

Certificate of Service

This document was served:

Via: ☐ M] Mail | ☐ P] Personal Service | ☐ E] Electronic Service

To: ☐ Noncitizen | ☐ Noncitizen c/o custodial officer | ☐ E] Noncitizen's atty/rep. | ☐ E] DHS

Respondent Name : SOHEILIESTAHBANATI, BEHNAZ | A-Number : 

Riders:

Date: 11/29/2022 By: Castorena, Rosalio , Court Staff

TAB B

ORDER OF SUPERVISION

Name: SOHEIL IESTAHBANATI, BEHNAZ

File No.: [REDACTED]

On November 29, 2022, you were ordered:
(Date of Final Order)

Date: March 14, 2023

- ☐ Excluded or deported pursuant to proceedings commenced prior to April 1, 1997.
☒ Removed pursuant to proceedings commenced on or after April 1, 1997.

Because the agency has not effected your deportation or removal during the period prescribed by law, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

- ☒ That you appear in person at the time and place specified, upon each and every request of the agency, for identification and for deportation or removal.
☒ That upon request of the agency, you appear for medical or psychiatric examination at the expense of the United States Government.
☒ That you provide information under oath about your nationality, circumstances, habits, associations and activities and such other information as the agency considers appropriate.
☒ That you do not travel outside Texas for more than 48 hours without first having notified this agency office of the dates and places, and obtaining approval from this agency office of such proposed travel.
(Specify geographic limits, if any)
☒ That you furnish written notice to this agency office of any change of residence or employment 48 hours prior to such change.
☒ That you report in person on 03/14/2024 09:00 AM to this agency office at:
(Date/Time)

San Antonio ICE/ERO at 3523 Crosspoint, San Antonio, TX 78217. Phone: 210-564-2033
(Reporting Address)

- ☒ That you assist U.S. 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)



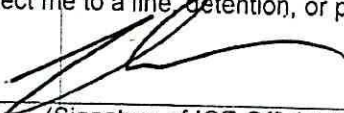
(Signature of ICE Official)

DE LEON, M4225

(Print Name and Title of ICE Official)

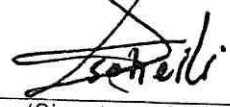
Alien's Acknowledgement of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English 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.



N. Carrillo #4668
Deportation Officer
DHS-ICE

(Signature of ICE Official Serving Order)



(Signature of Alien)

03/14/2023

(Date)

ORDER OF SUPERVISION (CONTINUATION PAGE)

[illegible]

ORDER OF SUPERVISION (ADDENDUM)

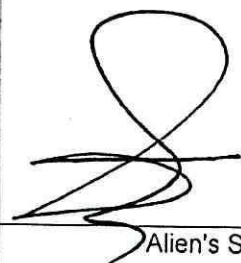
File No.: 

Name: SOHEILIESTAHBANATI, BEHNAZ

Date: March 14, 2023

- ☒ That you do not associate with know 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 Supervision.
- ☐ 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 Service custody and you being criminally prosecuted.
- ☐ Other:

X



Alien's Signature

ORDER OF SUPERVISION (OUTPROCESSING CHECKLIST)

All Aliens

- ☐ Probation/Parole Officer Notified
- ☒ Obtain address where living and telephone number
- ☒ Enter into IDENT
- ☒ NCIC Check
- ☐ Travel Document Application

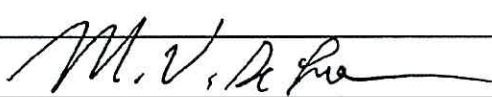
Sex Offenders

- ☐ 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

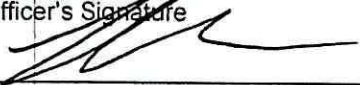
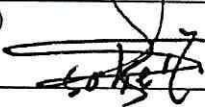
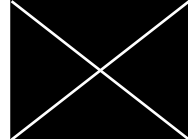
- ☐ Probation/Parole Officer Notified
- ☐ Written Proof of Counseling

Completed By	
ICE Official CARRILLO, N 4668 	Date 03/14/2023

Concurrence By	
Supervisory ICE Official DE LEON, M4225 	Date 03/14/2023

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

WARNING FOR FAILURE TO COMPLY WITH TERMS OF SUPERVISED RELEASE

Name SOHEIL IESTAHBANATI, BEHNAZ	Field Office SNA-T	File # 
Section 243(b) of the Immigration and Nationality Act of 1952, as amended, provides, in part, that: An alien who shall willfully fail to comply with regulations or requirements issued pursuant to section 241(a)(3)* or knowingly give false information in response to an inquiry under such section shall be fined not more than \$1000 or imprisoned for not more than one year, or both. *Section 241(a)(3) of the Immigration and Nationality Act of 1952, as amended, provides, in part, that: If the alien does not leave or is not removed within the removal period, the alien, pending removal, shall be subject to supervision under regulations prescribed by the Attorney General. The regulations shall include provisions requiring the alien— (A) to appear before an immigration officer periodically for identification; (B) to submit, if necessary, to a medical and psychiatric examination at the expense of the United States Government; (C) to give information under oath about the alien's nationality, circumstances, habits, associations, and activities, and other information the Attorney General considers appropriate; and (D) to obey reasonable written restrictions on the alien's conduct or activities that the Attorney General prescribes for the alien.		
Date Order Final November 29, 2022	Ordered Removed under Section 8 USC 1182, 212a7A1I	
Record of Service (Check method used)		
☒ Record of Personal Service		
Served By (Print Name and Title of Officer) N 4668 CARRILLO, Deportation Officer		Date March 14, 2023
Officer's Signature 	Location of Service ICE ERO - SAN ANTONIO, TX FIELD OFFICE San Antonio TX 78217	
Served On: (Alien's Signature) 		Date March 14, 2023
☐ Certified Mail Service		Fingerprint of Alien (Specify finger used)
Attach certified mail receipts here.		 Right Index

TAB C

Outlook

Re: Urgent Request for Certificate of Visa Cancellation

From: Consulate of Ecuador in Houston - cecuhouston@cancilleria.gob.ec

Date: Thu 06/26/2025 4:15 PM

To: Legal Morenolaw - legal@mmorenolaw.com

Greetings. In response to your communication, we inform you that, after conducting the necessary inquiries, it has been verified that the **visa granted to the foreign citizen Behnaz Soheiliestahbanati is recorded as canceled as of January 24, 2024.**

Regarding her potential deportation to Ecuador by the U.S. immigration authorities, we inform you that the admission of foreign citizens into Ecuadorian territory **is subject to current immigration requirements**, meaning they must possess a valid visa.

Best regards,

Consulate of Ecuador in Houston

Ministry of Foreign Affairs and Human Mobility.

2603 Augusta Drive, Houston, TX 77057-5618

Tel.: +1 (713) 572-8731

Fax: +1 (713) 572-8732

From: Legal Morenolaw - legal@mmorenolaw.com

Sent: Thursday, June 26, 2025 11:12 AM

To: Consulate of Ecuador in Houston - cecuhouston@cancilleria.gob.ec

Cc: [REDACTED]

Subject: Urgent Request for Certificate of Visa Cancellation

Good morning,

My office represents Mrs. Behnaz Soheiliestahbanati, who was detained yesterday by ICE during her check-in. ICE **notified that they intend to deport Behnaz to Ecuador shortly.**

Behnaz previously held legal residency in Ecuador, which was canceled on January 24, 2024. Attached are documents confirming the cancellation of her visa and those of her daughter and son-in-law.

Behnaz Soheiliestahbanati
Place of birth and nationality: Iran
Date of birth: [REDACTED]
Visa number: [REDACTED]

Page 2

Visa issuance date: 04/20/2021
Visa cancellation date: 01/24/2024

Please confirm whether the Ecuadorian government has records of Behnaz's visa cancellation and whether Ecuador will accept and receive Behnaz if she is deported by the United States, despite her visa being canceled.

I appreciate your prompt attention to this urgent matter. Should you have any questions, please contact me at the number below my signature, or Behnaz's daughter, [REDACTED], at [REDACTED] or via email at [REDACTED]

TRANSLATOR'S CERTIFICATION

I, Kelly Quintero, hereby certify that I am competent in both the English and Spanish languages, and that I have translated this Email Translation - Urgent Request for Certificate of Visa Cancellation to the best of my ability.



June 26, 2025

Kelly Quintero
Moreno Law Firm
8000 West IH-10, Ste. 600
San Antonio, Texas 78230
Phone (210) 907-1011



Outlook

Re: Solicitud de constancia de cancelacion de visa urgente

From Consulado del Ecuador HOUSTON <cecuhouston@cancilleria.gob.ec>**Date** Thu 06/26/2025 4:15 PM**To** Legal Morenolaw <legal@mmorenolaw.com>

Reciba un cordial saludo.

En atención a su comunicación, le informamos que, tras las consultas realizadas, se ha verificado que **la visa otorgada a la ciudadana extranjera Behnaz Soheiliestahbanati consta como cancelada con fecha 24 de enero de 2024.**

Respecto a su posible deportación a Ecuador por parte de las autoridades migratorias de los Estados Unidos, informamos que **la admisión al territorio ecuatoriano de ciudadanos extranjeros se encuentra sujeta a los requisitos migratorios vigentes**, es decir a contar con un visado vigente.

Saludos Cordiales,

Consulado del Ecuador en Houston**Ministerio de Relaciones Exteriores y Movilidad Humana.**

- 2603 Augusta Drive, Houston, TX 77057-5618

- Telf.: +1

(713) 572-8731

- Fax:

+1 (713) 572-8732

From: Legal Morenolaw <legal@mmorenolaw.com>**Sent:** Thursday, June 26, 2025 11:12**To:** Consulado del Ecuador HOUSTON <cecuhouston@cancilleria.gob.ec>**Cc:** [REDACTED]**Subject:** Solicitud de constancia de cancelacion de visa urgente

Buenos días,

Mi oficina representa a la señora Behnaz Soheiliestahbanati quien fue detenida ayer por ICE cuando fue a hacer su checkin. **ICE notifico que piensan deportar a Behnaz a Ecuador prontamente.**

Behnaz tuvo residencia legal en Ecuador y fue cancelada en enero 24, 2024. Aquí adjunto documentos de la cancelación de su visa y la de su hija and yerno.

Behnaz Soheiliestahbanati

Lugar de nacimiento y nacionalidad: Iran

Fecha de nacimiento: [REDACTED]

Numero de visa [REDACTED]

Fecha de concesión de visa abril 20, 2021.

Fecha de cancelación enero 24, 2024.

Por favor indicar si el gobierno de Ecuador tiene records que la visa de Behnaz fue cancelada, y si el gobierno de Ecuador va a aceptar y recibir Behnaz si es deportada por los Estados Unidos a pesar de que su visa fue cancelada.

Aprecio de antemano su pronta atención a este asunto urgente. Si tiene alguna pregunta por favor contactar me al numero debajo de mi firma, o a la hija de Behnaz,

Marlyn Moreno
Attorney at Law | Moreno Law Firm
8000 IH 10 West Ste. 600
San Antonio, Texas 78230
P: (210) 907-1011 | F: (210) 905-0012
www.mmorenolaw.com
www.facebook.com/thegreencardattorney

TAB D

Office of Enforcement and Removal Operations

U.S. Department of Homeland Security
1777 NE Loop 410, 15th Floor
San Antonio, TX 78217



U.S. Immigration
and Customs
Enforcement

Soheiliestahbanati, Behnaz
c/o Immigration and Customs Enforcement
San Antonio Field Office



Decision to Continue Detention

This letter is to inform you that your custody status has been reviewed, and it has been determined that you will not be released from the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your file, and upon review of the factors for consideration set forth at 8 C.F.R. § 241.4(e), (f), and (g). As explained below, after such review, ICE has determined to maintain your custody because:

- Pose a significant risk of flight pending your removal from the United States.
- No employment opportunities.

ICE has made such determination based upon that you are under a final order of removal; your removal from the United States cannot be completed until an immigration judge issues an official decision on your withholding of removal. ICE expects to encounter no delay in effecting your removal once this criterion is met. You will remain in ICE custody pending the next scheduled review of your case.

Based on the above, you are to remain in ICE custody pending your removal from the United States as ICE is unable to conclude that the factors set forth at 8 C.F.R. § 241.4(e) have been satisfied. You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. § 1253(a).

Soheiliestahbanati, Behnaz



If you have not been released or removed from the United States at the expiration of the three-month period after this 90-day review, jurisdiction of the custody decision in your case will be transferred to the ICE Headquarters (ERO Removal Division), Potomac Center North, 500 12th Street SW, Washington, DC 20536. The ERO Removal Division will thereafter conduct a custody review and will make a determination regarding whether you will continue to be detained pending removal or may be released.

To assist in the ERO Removal Division custody review, you will be afforded a personal interview. You and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any, will be notified of the date and time of the interview approximately 30 days prior to the scheduled interview date. This interview may be in person or through a video teleconference. If ERO needs to change the date of the interview, ERO will provide notice to you and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any.

You may be accompanied during the interview by a person of your choice, subject to security requirements at the detention facility, as long as this person is able to attend the interview at the scheduled time.

You may submit any additional documentation in English you wish to be considered in support of your release at the time of the interview or via mail service up to five business days prior to the scheduled time of your interview to the following address:

Karnes County Immigration Processing Center (KCIPC)
409 FM 1144
Karnes City, Texas 78118

Such documentation should contain a cover letter indicating that the material is submitted in support of your Post Order Custody Review personal interview. An attorney or other person may submit materials on your behalf.

You are required to complete the below information.

☐ I do ☐ do not want a personal interview.

If you do want an interview, please check the appropriate box(es) below:

☐ Check this box if you need an interpreter for your interview.

Language/Dialect: _____

☐ I will be assisted at this interview by a representative of my own choosing.

Name: _____

Soheiliestahbanati, Behnaz



If your representative has not filed a G-28, Notice of Entry of Appearance, on your behalf, you are responsible for notifying any other person you have selected to assist you of the date, time, and location of the interview. The representative must be at least 18 years of age.

You will be sent a separate Notice to Alien of Interview for Review of Custody Status approximately 30 days before the interview is scheduled. If you wish to request additional time to prepare for the interview, you must notify your deportation officer within five business days of receipt of the Notice of Interview. If ERO agrees to postpone the interview at your request, you will be deemed to have waived its completion prior to jurisdiction over your case transferring to the ERO Removal Division.

You will be notified of the decision in your case when the custody review has been concluded by the ERO Removal Division.

h1
Deputy Field Office Director, Andrew Huron

OCT 06 2025

Date

PROOF OF SERVICE

(Officer to complete both (a) and (b) below.)

(a) I J. Hausenfluke, Deportation Officer,
Name of ICE Officer Title
certify that I served Soheiliestahbanati, Behnaz with a copy of
Name of detainee
this document at KCIPC on 10/16/25, at 0945.
Institution Date Time

(b) I certify that I served the custodian J. Hausenfluke,
Name of Official
Deportation Officer, at KCIPC, on
Title Institution
10/16/25 with a copy of this document.
Date

Detainee Signature: Refused to Sign x2 Date: 10/09/25
10/16/25

- ☒ cc: Attorney of Record or Designated Representative
☒ cc: A-File

10/09/2025-LB -
10/16/2025 LB

