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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

JAGJIT SINGH,

Petitioner,

v.

SCARLET GRANT, Facility Administrator of  
Cimarron Correctional Facility ;

NORMAN PARRISH, Acting Field Office  
Director of the Dallas Immigration and Customs  
Enforcement Office;

TODD LYONS, Acting Director of United  
States Immigration and Customs Enforcement;

KRISTI NOEM, Secretary of the United States  
Department of Homeland Security,

PAMELA BONDI, Attorney General of the  
United States, acting in their official capacities,  
Respondents.

CASE NO. \_\_\_\_\_

**PETITION FOR WRIT OF HABEAS  
CORPUS**

## INTRODUCTION

1. Petitioner, Jagjit Singh, is a 27-year-old citizen of India who follows the Sikh faith. He was born on [REDACTED] in Nizamdinwala, Punjab, India. He entered the United States on August 4, 2019, seeking safety, stability, and lawful protection under United States immigration laws. Before his detention, Petitioner lived at [REDACTED] Madera, CA 93638. He has fully complied with immigration procedures, including attending all Immigration Court hearings and updating his address with the Immigration Court when required. His Form I-589 asylum application was filed on February 5, 2020, and his removal proceedings remain pending before the San Francisco Immigration Court. Petitioner has no criminal history.

2. After entering the United States, Petitioner was detained at the border and transferred to the Denver Contract Detention Facility in Aurora, Colorado. He passed his credible fear interview. Bond was granted on November 13, 2019, and he was released on November 15, 2019, after posting a \$3,000 bond. He then settled in Madera, California. He consistently reported to ICE as instructed, attended scheduled check-ins at the Fresno ICE office, and complied with all supervision requirements. Petitioner has been granted employment authorization and worked lawfully in the United States as a truck driver. He maintained strong ties to the Sikh community.

3. Petitioner has always intended to comply fully with ICE and court requirements. He consistently complied with all ICE check-in requirements for over six years. On January 30, 2024, he appeared for his first scheduled check-in at the Fresno ICE office. On January 30, 2025, he appeared for his second check-in, at which time ICE officers installed the ICE location application on his mobile phone. He was instructed to upload a photo every Thursday. In February 2025, he completed another check-in with no violations found.

4. On March 6, 2025, Petitioner visited the ICE office to request permission to drive a truck throughout the United States. On March 7, 2025, ICE called to confirm that his request had been approved. He was authorized to drive a truck throughout the United States. Petitioner continued to comply with all supervision requirements, including monthly check-ins through office visits, video check-ins, or home visits from ICE officers.

5. Petitioner's last photo check-in was on December 11, 2025. No violations were reported. He was in full compliance with all ICE requirements at the time of his arrest.

6. On December 16, 2025, Petitioner was arrested in Tulsa, Oklahoma, while driving his truck with ICE's express permission to travel throughout the United States. Police stopped his truck, asked him to step out, and placed him under arrest. When he asked for the reason, officers told him it was because he had entered the United States illegally. He was not provided advance notice, a written explanation, or an opportunity to contest the basis for his arrest. He was taken into custody without being accused of any new crime or intentional violation.

7. Petitioner was held at Tulsa County Jail for eight days. On December 24, 2025, he was transferred to Cimarron Correctional Facility in Cushing, Oklahoma, where he remains detained.

8. Petitioner has no criminal history, has never missed a court hearing, and has consistently complied with all ICE supervision requirements for over six years. He paid a \$3,000 bond in 2019, which reflected DHS's assessment that he was not a flight risk or danger to the community. His detention is based solely on the fact that he entered the United States without inspection over six years ago, despite his exemplary compliance record. Petitioner's detention serves no legitimate government purpose and is an arbitrary and unjustified deprivation of liberty.

9. Petitioner's summary arrest and detention violate substantive and procedural due process because they lack any individualized finding of danger or flight risk and were imposed

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without notice or an opportunity to be heard. His arrest reflects the broader pattern of ICE's quota-driven enforcement practices, which prioritize arrest numbers over individualized determinations. Petitioner respectfully seeks immediate relief from this Court to halt the ongoing harm and unlawful deprivation of his liberty.

10. This arrest is part of a new, nationwide initiative by ICE to arbitrarily arrest individuals. Since mid-May, DHS has implemented a coordinated practice of leveraging immigration detention to strip people like Petitioner of their substantive and procedural rights and pressure them into deportation. Immigration detention is civil, and thus is permissible for only two reasons: to ensure a noncitizen's appearance at immigration hearings and to prevent danger to the community. But ICE did not arrest and detain Petitioner--who demonstrably poses no risk of absconding from immigration proceedings or danger to the community--for either of these reasons. Instead, as part of its broader enforcement campaign, DHS detained Petitioner to strip him of his procedural rights, force him to forfeit his applications for relief, and pressure him into fast-track removal.

11. In immigration court, noncitizens have the right to pursue claims for relief from removal (including asylum), be represented by counsel, gather and present evidence, and pursue appeals. 8 U.S.C. Section 1229(a). By dismissing an ongoing case, DHS--in its view--can transfer a noncitizen's case from removal proceedings in immigration court, governed by 8 U.S.C. Section 1229a, to cursory proceedings under 8 U.S.C. Section 1225(b)(1) called "expedited removal," where the procedural protections and opportunities to pursue relief from removal built into regular immigration-court proceedings do not apply.

12. Petitioner's arrest and detention have caused him tremendous and ongoing harm. Every additional day Petitioner spends in unlawful detention subjects him to further irreparable harm.

13. Since being detained, Petitioner has struggled with anxiety, sleeplessness, and emotional distress. The environment in custody is isolating, noisy, and mentally exhausting. He is unable to practice his Sikh faith and cannot perform his daily prayers or attend Gurdwara. As a practicing Sikh who regularly volunteered at his local Gurdwara, preparing and serving food to the community, detention has been particularly traumatic.

14. Petitioner's summary arrest and detention violate substantive and procedural due process because they lack any individualized finding of danger or flight risk and were imposed without notice or an opportunity to be heard. His arrest reflects the broader pattern of ICE's quota-driven enforcement practices, which prioritize arrest numbers over individualized determinations. Petitioner respectfully seeks immediate relief from this Court to halt the ongoing harm and unlawful deprivation of his liberty.

15. This arrest is part of a new, nationwide initiative by ICE to arbitrarily arrest individuals. Since mid-May, DHS has implemented a coordinated practice of leveraging immigration detention to strip people like Petitioner of their substantive and procedural rights and pressure them into deportation. Immigration detention is civil, and thus is permissible for only two reasons: to ensure a noncitizen's appearance at immigration hearings and to prevent danger to the community. But ICE did not arrest and detain Petitioner—who demonstrably poses no risk of absconding from immigration proceedings or danger to the community—for either of these reasons. Instead, as part of its broader enforcement campaign, DHS detained Petitioner to strip him of his procedural rights, force him to forfeit his applications for relief, and pressure him into fast-track removal.

16. In immigration court, noncitizens have the right to pursue claims for relief from removal (including asylum), be represented by counsel, gather and present evidence, and pursue appeals. 8 U.S.C. § 1229(a). By dismissing an ongoing case, DHS—in its view—can transfer a noncitizen's case from removal proceedings in immigration court, governed by 8 U.S.C. § 1229a,

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to cursory proceedings under 8 U.S.C. § 1225(b)(1) called “expedited removal,” where the procedural protections and opportunities to pursue relief from removal built into regular immigration-court proceedings do not apply. DHS in concert with ICE is detaining people with the goal of accelerating removals (detained dockets move faster than non-detained dockets, though they’re still slow when you’re detained). DHS is also definitely doing this to demoralize people and get them to give up their immigration cases

17. Petitioner’s arrest and detention have caused him tremendous and ongoing harm. Every additional day Petitioner spends in unlawful detention subjects him to further irreparable harm.

18. Since being detained, Petitioner has struggled with anxiety, sleeplessness, and emotional distress. The environment in custody is isolating, noisy, and mentally exhausting. The Constitution protects Petitioner and every other person present in this country from arbitrary deprivations of his liberty and guarantees him due process of law. The government’s power over immigration is broad, but as the Supreme Court has declared, it “is subject to important constitutional limitations.” *Zadvydas v. Davis*, 533 U.S. 678, 695 (2001). “Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause from arbitrary governmental action.” *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992).

19. Petitioner respectfully seeks a writ of habeas corpus ordering the government to immediately release him from his ongoing, unlawful detention, and prohibiting his re-arrest without a hearing to contest that re-arrest before a neutral decisionmaker. In addition, to preserve this Court’s jurisdiction, Petitioner also requests that this Court order the government not to transfer him outside of the district or deport him for the duration of this proceeding.

#### **JURISDICTION AND VENUE**

The Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 (federal question), 28

U.S.C. § 1651 (All Writs Act), 28 U.S.C. §§ 2201–02 (Declaratory Judgment Act), 28 U.S.C. § 2241 (habeas corpus), Article I, § 9, cl. 2 of the U.S. Constitution (the Suspension Clause), the Fourth and Fifth Amendments to the U.S. Constitution, and 5 U.S.C. §§ 701-706 (Administrative Procedure Act).

Venue is proper in this district and division pursuant to 28 U.S.C. § 2241(a) and 28 U.S.C. § 1391(b)(2) and (e)(1) because Petitioner is physically detained within this district.

### PARTIES

1) Petitioner, Jagjit Singh, is a 27-year-old citizen of India who follows the Sikh faith. He was born on [REDACTED] in Nizamdinwala, Punjab, India. He entered the United States on August 4, 2019. He entered the United States seeking safety and freedom while fleeing persecution in India. His Form I-589 asylum application was filed on February 5, 2020. His removal proceedings remain pending before the San Francisco Immigration Court. Petitioner has no criminal history. Before detention, he lived at [REDACTED] Madera, CA 93638, and is presently in civil immigration detention at Cimarron Correctional Facility in Cushing, Oklahoma.

2) Respondent Scarlet Grant is the Warden of Cimarron Correctional Facility, a facility that contracts with ICE to detain individuals suspected of civil immigration violations. Respondent Grant is Petitioner's immediate physical custodian and is sued in her official capacity.

3) Respondent Norman Parrish is the Field Office Director of the Dallas ICE Field Office. In this capacity, he is responsible for the administration and enforcement of immigration laws within ICE's Dallas Area of Responsibility, which includes Oklahoma, and decisions relating to Petitioner's arrest, detention, and custody. Respondent Parrish maintains an office and regularly conducts business in this District and is sued in his official capacity.

4) Respondent Todd M. Lyons is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in this District; and is legally responsible for pursuing any effort to detain and remove the Petitioner. Respondent Lyons is sued in his official capacity.

5) Respondent Kristi Noem is the Secretary of Homeland Security and has ultimate

authority over DHS. In that capacity and through her agents, Respondent Noem has broad authority over and responsibility for the operation and enforcement of the immigration laws; routinely transacts business in this District; and is legally responsible for pursuing any effort to detain and remove the Petitioner. Respondent Noem is sued in her official capacity.

6) Respondent Pamela Bondi is the Attorney General of the United States and the most senior official at the Department of Justice. In that capacity and through her agents, she is responsible for overseeing the implementation and enforcement of the federal immigration laws. The Attorney General delegates this responsibility to the Executive Office for Immigration Review, which administers the immigration courts and the BIA. Respondent Bondi is sued in her official capacity.

#### **EXHAUSTION**

7) There is no requirement to exhaust because no other forum exists in which Petitioner can raise the claims herein. There is no statutory exhaustion requirement prior to challenging the constitutionality of an arrest or detention or challenging a policy under the Administrative Procedure Act. Prudential exhaustion is not required here because it would be futile, and Petitioner will “suffer irreparable harm if unable to secure immediate judicial consideration of [their] claim.” *McCarthy v. Madigan*, 503 U.S. 140, 147 (1992). Any further exhaustion requirements would be unreasonable.

#### **LEGAL BACKGROUND**

##### ***A. The Constitution Protects Noncitizens Like Petitioner from Arbitrary Arrest and Detention.***

8) The Constitution establishes due process rights for “all ‘persons’ within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent.” *Hernandez v. Sessions*, 872 F.3d 976, 990 (9th Cir. 2017) (quoting *Zadvydas*, 533 U.S. at 693). These due process rights are both substantive and procedural.

9) *First*, “[t]he touchstone of due process is protection of the individual against arbitrary action of government,” *Wolff v. McDonnell*, 418 U.S. 539, 558 (1974), including “the exercise of power without any reasonable justification in the service of a legitimate government

objective,” *Cnty. of Sacramento v. Lewis*, 523 U.S. 833, 846 (1998).

10) These protections extend to noncitizens facing detention, as “[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” *United States v. Salerno*, 481 U.S. 739, 755 (1987). Accordingly, “[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.” *Zadvydas*, 533 U.S. at 690.

11) Substantive due process thus requires that all forms of civil detention—including immigration detention—bear a “reasonable relation” to a non-punitive purpose. *See Jackson v. Indiana*, 406 U.S. 715, 738 (1972). The Supreme Court has recognized only two permissible non-punitive purposes for immigration detention: ensuring a noncitizen’s appearance at immigration proceedings and preventing danger to the community. *Zadvydas*, 533 U.S. at 690–92; *see also Demore v. Kim*, 538 U.S. 510 at 519–20, 527–28, 31 (2003).

12) *Second*, the procedural component of the Due Process Clause prohibits the government from imposing even permissible physical restraints without adequate procedural safeguards.

13) Generally, “the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property.” *Zinerman v. Burch*, 494 U.S. 113, 127 (1990). This is so even in cases where that freedom is lawfully revocable. *See Hurd v. D.C., Gov’t*, 864 F.3d at 683 (citing *Young v. Harper*, 520 U.S. 143, 152 (1997) (re-detention after pre-parole conditional supervision requires pre-deprivation hearing)); *Gagnon v. Scarpelli*, 411 U.S. 778, 782 (1973) (same, in probation context); *Morrissey v. Brewer*, 408 U.S. 471 (1972) (same, in parole context).

14) After an initial release from custody on conditions, even a person paroled following a conviction for a criminal offense for which they may lawfully have remained incarcerated has a protected liberty interest in that conditional release. *Morrissey* at 408 U.S. at 482. As the Supreme Court recognized, “[t]he parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live up to the parole conditions.” *Id.* “By whatever name, the liberty is valuable and must be seen within the protection of the [Constitution].” *Id.*

15) This reasoning applies with equal if not greater force to people released from civil

immigration detention at the border, like Petitioner. After all, noncitizens living in the United States like Petitioner have a protected liberty interest in their ongoing freedom from confinement. *See Zadvydas*, 533 U.S. at 690. And, “[g]iven the civil context [of immigration detention], [the] liberty interest [of noncitizens released from custody] is arguably greater than the interest of parolees.” *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019).

### **FACTUAL ALLEGATIONS**

#### ***A. DHS Dramatically Expands the Scope of Expedited Removal.***

16) For decades, DHS applied expedited removal exclusively in the border enforcement context, with only narrow exceptions to that general rule. From 1997 until 2002, expedited removal applied only to inadmissible noncitizens arriving at ports of entry. *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures; Final Rule, 62 Fed. Reg. 10312 (Mar. 6, 1997).

17) In 2002, the government for the first time invoked its authority to apply expedited removal to persons already inside the country, but only for a narrow group of people who arrived by sea, were not admitted or paroled, and were apprehended within two years of entry. *See* Notice Designating Aliens Subject to Expedited Removal Under Section 235(b)(1)(A)(iii) of the Immigration and Nationality Act, 67 Fed. Reg. 68924 (Nov. 13, 2002).

18) In 2004, the government authorized the application of expedited removal to individuals who entered by means other than sea, but only if they were apprehended within 100 miles of a land border and were unable to demonstrate that they had been continuously physically present in the United States for 14 days. *See* Designating Aliens for Expedited Removal, 69 Fed. Reg. 48877 (Aug. 11, 2004).

19) In 2019, at the direction of President Trump, DHS published a Federal Register Notice authorizing the application of expedited removal to certain noncitizens arrested anywhere in the country who could not affirmatively show that they had been continuously present for two years. *See* Designating Aliens for Expedited Removal, 84 Fed. Reg. 35409 (July 23, 2019). The District Court for the District of Columbia entered a preliminary injunction preventing the rule

from taking effect, which the D.C. Circuit later vacated. *Make the Rd. New York v. McAleenan*, 405 F. Supp. 3d 1, 11 (D.D.C. 2019), *vacated sub nom. Make the Rd. New York v. Wolf*, 962 F.3d 612, 618 (D.C. Cir. 2020).

20) In 2021, President Biden directed the DHS Secretary to review the rule expanding expedited removal and consider whether it comported with legal and constitutional requirements, including due process. In 2022, DHS rescinded the rule. *See* Rescission of the Notice of July 23, 2019, Designating Aliens for Expedited Removal, 87 Fed. Reg. 16022 (Mar. 21, 2022).

21) While the 2019 expansion was in effect, the government applied expedited removal to persons inside the country in an exceedingly small number of cases. Thus, from 1997 to 2025, with limited exceptions, immigration authorities generally did not apply expedited removal to noncitizens apprehended far from the border, or individuals anywhere in the United States (including near the border) who had been residing in the country for more than fourteen days.

22) This state of affairs changed drastically on January 20, 2025, the day that President Trump took office for his second term. That day, President Trump signed Executive Order 14159, “Protecting the American People Against Invasion,” the purpose of which was “to faithfully execute the immigration laws against all inadmissible and removable aliens, particularly those aliens who threaten the safety or security of the American people.” Exec. Order No. 14,159, 90 C.F.R. § 8443 (Jan. 20, 2025). The order directed the Secretary of Homeland Security to take various actions “to ensure the efficient and expedited removal of aliens from the United States.” *Id.*

23) To implement this Executive Order, DHS issued a notice immediately authorizing application of expedited removal to certain noncitizens arrested anywhere in the country who cannot show “to the satisfaction of an immigration officer” that they have been continuously present in the United States for at least two years. 90 Fed. Reg. 8139 (published Jan. 24, 2025).

24) On January 23, 2025, the Acting Secretary of Homeland Security issued a memorandum providing guidance regarding how to exercise enforcement discretion in implementing” the new expedited-removal rule. The guidance directed federal immigration officers to “consider . . . whether to apply expedited removal” to “any alien DHS is aware of who

is amenable to expedited removal but to whom expedited removal has not been applied.” As part of that process, the guidance encourages officers to “take steps to terminate any ongoing removal proceeding and/or any active parole status.”<sup>1</sup>

25) Under the administration’s expanded approach to expedited removal, hundreds of thousands of noncitizens who have lived in the country for less than two years are at imminent risk of summary removal without any hearing, meaningful process, access to counsel, or judicial review—regardless of the strength of their ties to the United States.

***B. To Place More People in Expedited Removal, DHS Undertakes New Campaign of Arrests and Detention.***

26) Since mid-May 2025, DHS has initiated an aggressive new enforcement campaign targeting people who are in regular removal proceedings in immigration court, many of whom have pending applications for asylum or other relief. This “coordinated operation” is “aimed at dramatically accelerating deportations” by arresting people at the courthouse or other places and placing them into expedited removal.<sup>2</sup>

27) The first step of this enforcement operation typically takes place inside the immigration court or with ICE agents due to baseless ISAP violations. When people arrive in court for their master calendar hearings, DHS attorneys orally file a motion to dismiss the proceedings—without any notice to the affected individual. Although DHS regulations do not permit such motions to dismiss absent a showing that the “[c]ircumstances of the case have changed,” 8 C.F.R. § 239.2(a)(7), (c), DHS attorneys do not conduct any case-specific analysis of changed circumstances before filing these motions to dismiss. Or in circumstances, as with the petitioner, where they are being called by ICE for check-ins and being arrested there.

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<sup>1</sup> Benjamine C. Huffman, *Guidance Regarding How to Exercise Enforcement Discretion*, Dep’t of Homeland Sec. (Jan. 23, 2025), [https://www.dhs.gov/sites/default/files/2025-01/25\\_0123\\_er-and-parole-guidance.pdf](https://www.dhs.gov/sites/default/files/2025-01/25_0123_er-and-parole-guidance.pdf).

<sup>2</sup> Arelis R. Hernández & Maria Sacchetti, *Immigrant Arrests at Courthouses Signal New Tactic in Trump’s Deportation Push*, Wash. Post, May 23, 2025, <https://www.washingtonpost.com/immigration/2025/05/23/immigration-court-arrests-ice-trump/>; see also Hamed Aleaziz, Luis Ferré-Sadurní, & Miriam Jordan, *How ICE is Seeking to Ramp Up Deportations Through Courthouse Arrests*, N.Y. Times, May 30, 2025, <https://www.nytimes.com/2025/05/30/us/politics/ice-courthouse-arrests.html>.

28) Even though individuals are supposed to have ten days to respond to a motion to dismiss, some IJs have granted the government's oral motion on the spot and immediately dismissed the case. This is consistent with recent instructions from the Department of Justice to immigration judges stating that they may allow the government to move to dismiss cases orally, in court, without a written motion, and to decide that motion without allowing the noncitizen an opportunity to file a response.

29) Despite these instructions, some IJs have still asked DHS to re-file the motion as a written motion and continued proceedings to allow individuals to file their response. A smaller group of IJs have expressly denied the motion to dismiss on the record or in a written order.

30) The next step of DHS's new campaign takes place outside the courtroom. ICE officers, in consultation with DHS attorneys and officials, station themselves in courthouse waiting rooms, hallways, and elevator banks. When an individual exits their immigration hearings, ICE officers—typically masked and in plainclothes—immediately arrest the person and detain them. ICE officers execute these arrests regardless of how the IJ rules on the government's motion to dismiss. On information and belief, they typically do not have an arrest warrant.

31) Once the person has been transferred to a detention facility, the government places the individual in expedited removal. In cases in which the IJ did not dismiss the person's removal proceedings, DHS attorneys unilaterally transfer venue of the case to a "detained" immigration court, where they renew their motions to dismiss—again with the goal of putting the person in expedited removal.

32) DHS is aggressively pursuing this arrest and detention campaign at courthouses throughout the country and with the help of ICE agents at check ins. In New York City, for example, "ICE agents have apprehended so many people showing up for routine appointments this month that the facilities" are "overcrowded," with "[h]undreds of migrants . . . sle[eping] on the floor or sitting upright, sometimes for days."<sup>3</sup>

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<sup>3</sup> Luis Ferré-Sadurní, *Inside a Courthouse, Chaos and Tears as Trump Accelerates Deportations*, N.Y. Times, June 12, 2025, <https://www.nytimes.com/2025/06/12/nyregion/immigration-courthouse-arrests-trump-deportation.html>.

33) DHS's and ICE's aggressive tactics appear to be motivated by the Administration's imposition of a new daily quota of 3,000 ICE arrests.<sup>4</sup> In part as a result of this campaign, ICE's arrests of noncitizens with no criminal record have increased more than 800% since before January.<sup>5</sup>

34) The government's new campaign is also a significant shift from previous DHS practice of re-detaining noncitizens only after a material change in circumstances. *See Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017), *aff'd sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th Cir. 2018) (describing prior practice).

***C. Petitioner is Unlawfully Arrested and Detained Pursuant.***

35) Petitioner, Jagjit Singh, is a follower of the Sikh faith and was targeted in India due to [REDACTED]

[REDACTED] He fled India due to [REDACTED] and entered the United States. He was born on [REDACTED] in Nizamdinwala, Punjab, India, and is a citizen of India. Before his detention, he lived a peaceful and stable life in Madera, California. His Form I-589 asylum application was filed on February 5, 2020, and remains pending.

36) Petitioner entered the United States on August 4, 2019. He was apprehended at the border and detained at the Denver Contract Detention Facility in Aurora, Colorado. Following his release on bond on November 15, 2019, DHS instructed Petitioner to check in

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<sup>4</sup> Ted Hesson & Kristina Cooke, *ICE's Tactics Draw Criticism as it Triples Daily Arrest Targets*, Reuters, June 10, 2025, <https://www.reuters.com/world/us/ices-tactics-draw-criticism-it-triples-daily-arrest-targets-2025-06-10/>; Alayna Alvarez & Brittany Gibson, *ICE Ramps Up Immigration Arrests in Courthouses Across the U.S.*, Axios, June 12, 2025, <https://www.axios.com/2025/06/12/ice-courthouse-arrests-trump>.

<sup>5</sup> José Olivares & Will Craft, *ICE Arrests of Migrants with No Criminal History Surging under Trump*, The Guardian, June 14, 2025, <https://www.theguardian.com/us-news/2025/jun/14/ice-arrests-migrants-trump-figures>.

with ICE. Petitioner complied. His removal proceedings are pending before the San Francisco Immigration Court.

37) Petitioner complied with all ICE instructions for over six years. He attended scheduled check-ins at the Fresno ICE office, completed photo uploads through the ICE mobile application, and never missed a scheduled ICE appointment. He never attempted to evade supervision.

38) On March 6, 2025, Petitioner requested and received ICE approval to drive a truck throughout the United States. ICE confirmed this approval on March 7, 2025. Petitioner's last photo check-in was on December 11, 2025, with no violations reported.

39) On December 16, 2025, Petitioner was arrested in Tulsa, Oklahoma, while driving his truck. Police stopped his truck, asked him to step out, and arrested him. When he asked for the reason, officers told him it was because he had entered the United States illegally. He was not provided advance notice, a written explanation, or an opportunity to contest the basis for his arrest.

40) Petitioner was held at Tulsa County Jail for eight days. On December 24, 2025, he was transferred to Cimarron Correctional Facility in Cushing, Oklahoma.

41) During the arrest and transfer, Petitioner was never informed of his rights or given any explanation for his detention. He was frightened, confused, and unable to understand why he was being taken into custody after over six years of perfect compliance.

42) Petitioner has never intentionally violated any ICE directive, supervision requirement, or court order. His detention serves no legitimate government purpose and represents an unlawful deprivation of liberty inconsistent with the Fifth Amendment. Petitioner's arrest occurred while he was lawfully working as a truck driver with ICE's express permission to travel throughout the United States.

***D. As a Result of His Arrest and Detention, Petitioner is Suffering Ongoing and Irreparable Harm.***

43) Petitioner is being deprived of his liberty without any permissible justification. The government previously released him on his own recognizance because he did not pose sufficient risk of flight or danger to the community to warrant detention.

44) None of that has changed. Petitioner has no criminal record, and there is no basis to believe that he poses any public-safety risk. Nor is Petitioner, who was arrested *while appearing to ICE*, conceivably a flight risk. To the contrary, Petitioner appeared for every immigration court hearing and supervision check-in, and he has consistently informed the court about any change in his address or other circumstances.

**CLAIMS FOR RELIEF**

**FIRST CLAIM FOR RELIEF**

**Violation of the Fifth Amendment to the United States Constitution**

**(Substantive Due Process—Detention)**

45) Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

46) The Due Process Clause of the Fifth Amendment protects all “person[s]” from deprivation of liberty “without due process of law.” U.S. Const. amend. V. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.” *Zadvydas*, 533 U.S. at 690.

47) Immigration detention is constitutionally permissible only when it furthers the government’s legitimate goals of ensuring the noncitizen’s appearance during removal proceedings and preventing danger to the community. *See id.*

48) Petitioner is not a flight risk or danger to the community. Respondents’ detention of Petitioner is therefore unjustified and unlawful. Accordingly, Petitioner is being detained in violation of the Due Process Clause of the Fifth Amendment.

49) Moreover, Petitioner’s detention is punitive as it bears no “reasonable relation” to

any legitimate government purpose. *Id.* (finding immigration detention is civil and thus ostensibly “nonpunitive in purpose and effect”). Here, the purpose of Petitioner’s detention appears to be “not to facilitate deportation, or to protect against risk of flight or dangerousness, but to incarcerate for other reasons”—namely, to meet newly-imposed DHS quotas and transfer immigration court venue away from an IJ who refused to facilitate DHS’s new expedited removal scheme. *Demore*, 538 U.S. at 532–33 (Kennedy, J., concurring).

## **SECOND CLAIM FOR RELIEF**

### **Violation of the Fifth Amendment to the United States Constitution**

#### **(Procedural Due Process—Detention)**

50) Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

51) As part of the liberty protected by the Due Process Clause, Petitioner has a weighty liberty interest in avoiding re-incarceration after his release. *See Young v. Harper*, 520 U.S. 143, 146–47 (1997); *Gagnon v. Scarpelli*, 411 U.S. 778, 781–82 (1973); *Morrissey v. Brewer*, 408 U.S. 471, 482–83 (1972); *see also Ortega*, 415 F. Supp. 3d at 969–70 (holding that a noncitizen has a protected liberty interest in remaining out of custody following an IJ’s bond determination).

52) Accordingly, “[i]n the context of immigration detention, it is well-settled that due process requires adequate procedural protections to ensure that the government’s asserted justification for physical confinement outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Hernandez*, 872 F.3d at 990 (cleaned up); *Zinermon*, 494 U.S. at 127 (Generally, “the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property.”). In the immigration context, for such hearings to comply with due process, the government must bear the burden to demonstrate, by clear and convincing evidence, that the noncitizen poses a flight risk or danger to the community. *See Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011); *see also Martinez v. Clark*, 124 F.4th 775, 785, 786 (9th Cir. 2024).

53) Petitioner’s re-detention without a pre-deprivation hearing violated due process. Over six years after Petitioner was first released from custody on bond, Respondents re-detained

him with no advance notice, no explanation of the justification for re-detention, and no opportunity to contest his re-detention before a neutral adjudicator. He was arrested on December 16, 2025, just five days after his last photo check-in showed no violations, while lawfully working as a truck driver with ICE's express permission to travel throughout the United States.

54) These facts are materially indistinguishable from *Y.S.G. v. Andrews*, No. 2:25-cv-01884-SCR (E.D. Cal. Oct. 22, 2025), where the Court granted a writ of habeas corpus after finding that ICE violated due process by re-detaining a previously released individual without advance notice or a pre-deprivation hearing. In *Y.S.G.*, as here, DHS claimed a technical violation of supervision conditions but offered no proof that the individual posed a danger or flight risk. The court held that any re-detention requires a pre-deprivation hearing before a neutral adjudicator, at which the government bears the burden to establish danger or flight risk by clear and convincing evidence. Petitioner, who has fully complied with ICE and court requirements and poses no danger, was similarly re-detained in violation of his constitutional rights.

**PRAYER FOR RELIEF**

Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;
2. Issue a writ of habeas corpus ordering Respondents to immediately release Petitioner from custody;
3. Declare that Petitioner's arrest and detention violate the Due Process Clause of the Fifth Amendment.
4. Enjoin Respondents from transferring Petitioner outside this District or deporting Petitioner pending these proceedings;
5. Enjoin Respondents from re-detaining Petitioner unless his re-detention is ordered at a custody hearing before a neutral arbiter in which the government bears the burden of proving, by clear and convincing evidence, that Petitioner is a flight risk or danger to the community;
6. Award Petitioner his costs and reasonable attorneys' fees in this action as provided for by the Equal Access to Justice Act and 28 U.S.C. § 2412; and

7. Grant such further relief as the Court deems just and proper.

Date: Jan 20, 2026

Respectfully Submitted,

*Simranjit Kaur*  
/s/ \_\_\_\_\_  
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*Attorneys for Petitioner*

**VERIFICATION PURSUANT TO 28 U.S.C. 2242**

I am submitting this verification on behalf of the Petitioner because I am one of Petitioner's attorneys. I have discussed with Petitioner, Jagjit Singh, the events described in the Petition. Based on those discussions, I hereby verify that the factual statements made in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Executed on this Jan 20 2026, in Tracy, CA.

*/s/ ()*  
(attorney )  
Attorney for Petitioner