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Sahil Minhas

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

SAHIL MINHAS, [redacted]

Petitioner,

v.

PAMELA BONDI, in her official capacity as Attorney General,

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security,

U.S. DEPARTMENT OF HOMELAND SECURITY,

JEREMY CASEY, in his official capacity as Warden of Warden of the Imperial Regional Adult Detention Facility,

TODD M. LYONS, in his official capacity as acting director of US Immigration and Customs Enforcement,

Respondents.

Case No. '26CV0492 JES BLM

VERIFIED PETITION FOR HABEAS CORPUS AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

IMMIGRATION HABEAS

CASE

1. Sahil Minhas ("Petitioner"), by and through his undersigned counsel, hereby files this petition for a writ of habeas corpus challenging his continued detention without eligibility for a bond hearing.
2. Petitioner is a citizen of India. He first arrived in the United States without inspection on or about March 27, 2023. *See* Exhibit A.
3. In March 2023, Immigration and Customs Enforcement ("ICE") released Petitioner with instructions to contact for monitoring. *See* Exhibit B.
4. On June 23, 2023, an Immigration Judge in Los Angeles dismissed Petitioner's case due to failure to prosecute from the Respondent. *See* Exhibit B.
5. On July 21, 2023, Petitioner filed his form I-589 application for asylum and Withholding of Removal with United States Citizenship and Immigration Services ("USCIS"). *See* Exhibit C.
6. On or about November 26, 2025, two years after he began his residence in the United States, Petitioner was arrested by ICE when he went for an ICE check-in compliance of their instructions and is currently detained at Imperial Regional Adult Detention Facility. *See* Exhibit D.

PARTIES

7. Petitioner Sahil Minhas is a citizen of India, who is currently in the custody of ICE in Calexico, California.

8. Respondent Pamela Bondi, the Attorney General, is the highest-ranking official within the Department of Justice ("DOJ"). Respondent Bondi has responsibility for the administration and enforcement of the immigration laws pursuant to 8 U.S.C. § 1103. As the Immigration and Nationality Act ("INA") has not been amended to reflect the designation of the Secretary of the Department of Homeland Security ("DHS") as the administrator and enforcer of immigration laws, Respondent Bondi is sued in her official capacity to the extent that 8 U.S.C. § 1102 gives her authority over immigration law.

9. Respondent Kristi Noem, the Secretary of the DHS, is the highest-ranking official within the DHS. Respondent Noem, by and through her agency for the DHS, is responsible for the implementation of the INA, and for ensuring compliance with applicable federal law. She is also responsible for the detention of non-citizens by ICE. Respondent Noem is sued in her official capacity as an agent of the government of the United States.

10. The DHS is the agency responsible for detaining non-citizens, including Petitioner.

11. Jeremy Casey is the warden of the Imperial Regional Adult Detention Facility. He is sued in his role as Petitioner's immediate custodian.

12. Respondent Todd M. Lyons is the Acting Director of the of Immigration and Customs Enforcement. He oversees the custody of all Immigration and Customs Enforcement is also responsible for the detention of non-citizens by ICE. Respondent Lyons is sued in his official capacity as an agent of the government of the United States.

JURISDICTION AND VENUE

13. This Court has jurisdiction over the present action pursuant to 28 U.S.C. § 1331, general federal question jurisdiction; habeas jurisdiction pursuant to 28 U.S.C. § 2241 et seq.; Art I., § 9, Cl. 2 of the United States Constitution (the Suspension Clause); and the common law. This action arises under the Due Process Clause of the Fifth Amendment of the U.S. Constitution and the INA. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et. seq., the Declaratory Judgment Act, 28 U.S.C. § 2001 et seq., and the All-Writs Act, 28 U.S.C. § 1651.

14. Federal district courts have jurisdiction to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of DHS conduct. Federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252. *See e.g.*, *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001).

15. Venue is proper pursuant to 28 U.S.C. § 1391(e) because Respondents are

agencies of the United States or officers or employees thereof acting in their official capacity or under color of legal authority; Petitioner is in the custody of the Immigration and Customs Enforcement at the Imperial Regional Adult Detention Facility, which is in the jurisdiction of the Southern District of California; and there is no real property involved in this action.

LEGAL BACKGROUND

16. The INA prescribes three basic forms of detention for noncitizens in removal proceedings.

17. First, individuals detained pursuant to 8 U.S.C. § 1226(a) are generally entitled to a bond hearing, unless they have been arrested, charged with, or convicted of certain crimes and are subject to mandatory detention. *See* 8 U.S.C. §§ 1226(a), 1226(c) (listing grounds for mandatory detention); *see also* 8 C.F.R. §§ 1003.19(a) (immigration judges may review custody determinations made by DHS), 1236.1(d) (same).

18. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) as well as other recent arrivals deemed to be "seeking admission" under § 1225(b)(2).

19. Third, the INA authorizes detention of noncitizens who have received a final order of removal, including those in withholding-only proceedings. *See* 8

U.S.C. § 1231(a)–(b).

20. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act ("IIRIRA") of 1996, Pub. L. No. 104-208. Div. C, §§ 302-03, 110 Stat. 3009-546, 300-582 to 3009-583, 3009-585. Section 1226 was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025).

21. Following the enactment of the IIRIRA, the U.S. Department of Justice's Executive Office of Immigration Review ("EOIR") drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) ("Despite being applicants for admission, aliens who are present without having been admitted or paroled (formed referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination").

22. Thus, in the decades that followed, most people who entered without inspection and were thereafter detained and placed in standard removal proceedings were considered for release on bond and also received bond

hearings before an Immigration Judge ("IJ"), unless their criminal history rendered them ineligible. That practice was consistent with many more decades of prior practice, in which noncitizens who had entered the United States, even if without inspection, were entitled to a custody hearing before an IJ or other hearing officer. In contrast, those who were stopped at the border were only entitled to release on parole. *See* 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 220 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

23. For decades, long-term residents of the U.S. who entered without inspection and were subsequently apprehended by ICE in the interior of the country have been detained pursuant to § 1226 and entitled to bond hearings before an IJ, unless barred from doing so due to their criminal history.

24. In July 2025, however, ICE began asserting that all individuals who entered without inspection should be considered "seeking admission" and therefore subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A).

25. On September 5, 2025, the BIA issued a precedential decision adopting this interpretation, departing from the INA's text, federal precedent, and existing regulations. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025).

26. Defendants' new legal interpretation is plainly contrary to the statutory framework and its implementing regulations. Indeed, for decades, Defendants

had applied § 1226(a) to people like the Petitioner. Defendants' new policies are thus not only contrary to law, but are arbitrary and capricious in violation of the Administrative Procedure Act ("APA"). They were also adopted without complying with the procedural requirements of the APA.

27. Numerous federal courts have rejected this interpretation and instead have consistently found that § 1226, not § 1225(b)(2), authorizes detention of noncitizens who entered without inspection and were later apprehended in the interior of the country. *See e.g.*, *Sampiao v. Hyde*, 2025 WL 2607924 (D. Mass. Sept. 9, 2025) (noting court's disagreement with BIA's analysis in *Yajure Hurtado*); *Leal-Hernandez v. Noem*, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Lopez Benitez v. Francis*, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Jimenez v. FCI Berlin, Warden*, No. 25-cv-326-LM-AJ (D.N.H. Sept. 8, 2025); *Kostak v. Trump*, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Cuevas Guzman v. Andrews*, 2025 WL 2617256, at *3 n.4 (E.D. Cal. Sept. 9, 2025); *see also Lepe v. Andrews*, No. 1:25-cv-01163-KES-SKO (HC) (E.D. Cal. Sept. 23, 2025), attached hereto as Exhibit E, and *Chafla v. Scott*, No. 2:25-cv-00437-SDN (D. Maine Sept. 21, 2025), attached hereto as Exhibit F.

28. Under the Supreme Court's recent decision in *Loper Bright v. Raimondo*, this Court should independently interpret the statute and give the BIA's expansive interpretation of § 1225(b)(2) no weight, as it conflicts with the statute,

regulations, and precedent. 603 U.S. 369 (2024).

29.The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act ("IIRIRA") of 1996, Pub. L. No. 104-208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Following IIRIRA, the Executive Office for Immigration Review ("EOIR") issued regulations clarifying that individuals who entered the country without inspection were not considered detained under § 1225, but rather under § 1226(a). *See Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures*, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) ("Despite being applicants for admission, aliens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination").

30.The statutory context and structure also make clear that § 1226 applies to individuals who have not been admitted and entered without inspection. In 2025, Congress added new mandatory detention grounds to § 1226(c) that apply only to noncitizens who have not been admitted. *See* The Laken Riley Act, Pub. L. No. 119-1, § 2, 139 Stat. 3, 3 (2025) (8 U.S.C. § 1226(c)(1)(E)).

31.By specifically referencing inadmissibility for entry without inspection under

8 U.S.C. § 1182(6)(A), Congress made clear that such individuals are otherwise covered by § 1226(a). Thus, § 1226 plainly applies to noncitizens charged as inadmissible, including those present without admission or parole.

32. The Supreme Court has explained that § 1225(b) is concerned "primarily [with those] seeking entry," and is generally imposed "at the Nation's borders and ports of entry, where the Government must determine whether [a noncitizen] seeking to enter the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 297, 2987 (2018). In contrast, Section 1226 "authorizes the Government to detain certain aliens *already in the country* pending the outcome of removal proceedings." *Id.* at 289 (emphases added).

33. Furthermore, § 1225(b)(2) specifically applies only to those "seeking admission," and the implementing regulations at 8 C.F.R. § 1.2 address noncitizens who are "coming or attempting to come into the United States." The use of the present progressive tense would exclude noncitizens like Petitioner who are apprehended in the interior years after they entered, as they are no longer "seeking admission" or "coming [...] into the United States." *See Martinez v. Hyde*, 2025 WL 2084238 at *6 (D. Mass. July 24, 2025) (citing the use of present and present progressive tense to support conclusion that INA § 1225(b)(2) does not apply to individuals apprehended in the interior); *see also Al Otro Lado v. McAleenan*, 394 F. Supp. 3d 1168, 1200 (S.D. Cal. 2019)

(construing "is arriving" in INA § 235(b)(1)(A)(i) and observing that "[t]he use of the present progressive, like use of the present participle, denotes an ongoing process").

34. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to Petitioner, who was arrested by ICE while residing at his residence in the United States.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

35. Administrative exhaustion is unnecessary as it would be futile. *See, e.g.*, *Aguilar v. Lewis*, 50 F. Supp. 2d 539, 542–43 (E.D. Va. 1999).

36. It would be futile for Petitioner to seek a custody redetermination hearing before an IJ because of the BIA recent decision holding that anyone who has entered the U.S. without inspection is now considered an "applicant for admission" who is "seeking admission" and therefore subject to mandatory detention under § 1225(b)(2)(A). *See Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025); *see also Zaragoza Mosqueda v. Noem*, 2025 WL 2591530, at *7 (C.D. Cal. Sept. 8, 2025) (noting that BIA's decision in *Yajure Hurtado* renders exhaustion futile).

37. Additionally, the agency does not have jurisdiction to review Petitioner's claim of unlawful custody in violation of his due process rights, and it would

therefore be futile for him to pursue administrative remedies. *Reno v Amer.-Arab Anti-Discrim. Comm.*, 525 U.S. 471, 119 S.Ct. 936, 142 L.Ed.2d 940 (1999) (finding exhaustion to be a "futile exercise because the agency does not have jurisdiction to review" constitutional claims).

FIRST CAUSE OF ACTION

Violation of 8 U.S.C. § 1226(a)

Unlawful Denial of Release on Bond

38.Petitioner restates and realleges all paragraphs as if fully set forth here.

(1)Petitioner may be detained, if at all, pursuant to 8 U.S.C. § 1226(a).

(2)Under § 1226(a) and its associated regulations, Petitioner is entitled to a bond hearing. *See* 8 C.F.R. 236.1(d) & 1003.19(a)-(f).

(3)Petitioner has not been, and will not be, provided with a bond hearing as required by law.

39.Petitioner's continuing detention is therefore unlawful.

SECOND CAUSE OF ACTION

Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1 and 1003.19
Unlawful Denial of Release on Bond

40.Petitioner restates and realleges paragraphs 1 to 37 as if fully set forth here.

41.In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-

Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of "Apprehension, Custody, and Detention of [Noncitizens]," the agencies explained that "[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination." 62 Fed. Reg. at 10323. The agencies thus made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.

42. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

THIRD CAUSE OF ACTION

Violation of Fifth Amendment Right to Due Process

43. Petitioner restates and realleges paragraphs 1 to 37 as if fully set forth here.

44. The Fifth Amendment's Due Process Clause prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V.

45. The Supreme Court has repeatedly emphasized that the Constitution generally requires a hearing before the government deprives a person of liberty or property. *Zinermon v. Burch*, 494 U.S. 113, 127 (1990).

46. Under the *Mathews v. Eldridge* framework, the balance of interests strongly favors Petitioner's release.

47. Petitioner's private interest in freedom from detention is profound. The interest in being free from physical detention is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004); *see also Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) ("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.").

48. The risk of erroneous deprivation is exceptionally high. Petitioner has never been arrested and has deep ties to the community.

49. The government's interest in detaining Petitioner without due process is minimal. Immigration detention is civil, not punitive, and may only be used to prevent danger to the community or ensure appearance at immigration proceedings. *See Zadvydas*, 533 U.S. at 690.

50. Furthermore, the "fiscal and administrative burdens" of providing Petitioner with a bond hearing are minimal, particularly when weighed against the significant liberty interests at stake. *See Mathews*, 424 U.S. at 334–35.

51. Considering these factors, Petitioner respectfully requests that this Court order his immediate release from custody or provide him with a bond hearing.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Declare that Respondents have violated Petitioner's rights;
3. Order that Petitioner not be transferred outside of this District;
4. Issue an Order to Show Cause ordering Respondents to show cause why his Petition should not be granted within three days;
5. Declare that Petitioner's detention is unlawful;
6. Issue a Writ of Habeas Corpus ordering Respondents to release him from custody immediately on the same conditions he was subject to immediately prior to his recent detention or provide him with a bond hearing pursuant to 8 U.S.C. § 1226(a) or the Due Process Clause within seven days;
7. Enjoin and restrain from re-detaining petitioner for any purpose, absent exigent circumstances, without providing petitioner notice and a pre-detention hearing before an immigration judge where Respondents will have the burden to demonstrate a change in circumstances justifying petitioner's re-detention.
8. Award him his attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
9. Grant him any further relief this Court deems just and proper;

RESPECTFULLY SUBMITTED this Twenty Sixth day of January, 2026

/s/Jagbir Terkiana
Jagbir Singh Terkiana (CA SBN #339166)
Terkiana PC
PO Box 70280
Sunnyvale, CA 94086
(408) 689-6117
Email: jay@immigration.global

VERIFICATION

I, Jagbir Singh Terkiana, counsel for Petitioner Sahil Minhas, hereby verify under penalty of perjury pursuant to 28 U.S.C. § 1746 that the factual allegations in this petition are true and correct to the best of my knowledge, information, and belief, based upon the records available and information provided by Petitioners.

Dated: January 26, 2026

Respectfully submitted,

/s/Jagbir Singh Terkiana

Jagbir Singh Terkiana

TABLE OF EXHIBITS

Exhibit A: Form I-862-Notice to Appear

Exhibit B: Petitioner's I-213 Record

Exhibit C: Proof of Asylum Application filed with USCIS

Exhibit D: ICE Detainee Locator Reflecting Respondent's Current Location

Exhibit E: Lepe v. Andrews, No. 1:25-cv-01163-KES-SKO (HC) (E.D. Cal. Sept. 23, 2025)

Exhibit F: Chafla v. Scott, No. 2:25-cv-00437-SDN (D. Maine Sept. 21, 2025)

Exhibit A

Allegations: Admits All; | Charges: Concedes All;
Designated Country: INDIA |

DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR

DOB [redacted]

Event No: [redacted]

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

Subject ID: [redacted] FINS: [redacted] File No: [redacted]

In the Matter of:

Respondent: SAHIL MINHAS currently residing at:

[redacted] [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 INDIA and a citizen of INDIA;
3. You entered the United States at or near TECATE, CA, on or about March 27, 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:

10250 RANCHO RD, SUITE 201A, ADELANTO, CA 92301
(Complete Address of Immigration Court, including Room Number, if any)

on 01/15/2026 (Date) at 08:30am (Time) to show why you should not be removed from the United States based on the charge(s) set forth above.

I 2209 HERRERA - SDDO
(Signature and Title of Issuing Officer)

Date: 11/26/2025

SAN BERNARDINO, CA
(City and State)

EOIR – 1 of 3

Allegations: Admits All; | Charges: Concedes All;
Designated Country: INDIA |

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. 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: [redacted]

(Signature of Respondent)

Date: 11/26/2025

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on November 26, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- [x] 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 ENGLISH 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.

[redacted]

(Signature of Respondent if Personally Served)

J 6193 BELTRAN - Deportation Officer

(Signature and Title of officer)

Allegations: Admits All; | Charges: Concedes All;
Designated Country: INDIA |

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 (CARIER), 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-sorns. 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.

Exhibit B

U.S. Department of Homeland Security Subject ID : 400814142 **Record of Deportable/Inadmissible Alien**

Family Name (CAPS) / First / Middle	MINHAS, SAHIL
Sex	M
Hair / Eyes / Cmplxn	[redacted]
Country of Citizenship	INDIA
Passport Number and Country of Issue	
File Number	[redacted]
Height / Weight	[redacted]
Occupation	NOT
U.S. Address	[redacted]
Scars and Marks	
Date, Place, Time, and Manner of Last Entry	03/27/2023 Unknown Time, TEC,
Passenger Boarded at	
F.B.I. Number	[redacted]
☒ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated	
Number, Street, City, Province (State) and Country of Permanent Residence	
Method of Location/Apprehension	NCA
Date of Birth	[redacted] Age: 28
Date of Action	11/26/2025
Location Code	SBD/LOS
At/Near	See I-831
Date/Hour	11/26/2025 09:47
City, Province (State) and Country of Birth	INDIA
AR ☒ Form: (Type and No.) Lifted ☐ Not Lifted ☐	
By	E 9915 MCCORKLE
NIV Issuing Post and NIV Number	
Social Security Account Name	
Status at Entry	
Status When Found	
Date Visa Issued	
Social Security Number	
Length of Time Illegally in U.S.	
Immigration Record	NEGATIVE
Criminal Record	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)	
Number and Nationality of Minor Children	None
Father's Name, Nationality, and Address, if Known	
Mother's Present and Maiden Names, Nationality, and Address, if Known	
Monies Due/Property in U.S. Not in Immediate Possession	None Claimed
Fingerprinted? ☒ Yes ☐ No	
Systems Checks	See Narrative
Charge Code Words(s)	See Narrative
Name and Address of (Last)(Current) U.S. Employer	
Type of Employment	See Narrative
Salary	Hr
Employed from/to	

Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)

FIN: [redacted] Left Index fingerprint Right Index fingerprint

[redacted]

Family Information

Father:Subject has not provided information for Father.
Mother:Subject has not provided information for Mother.
Spouse:Subject is not married.
Child:Subject does not have children or dependents.

...(CONTINUED ON I-831)

J 6193 BELTRAN
Deportation Officer
(Signature and Title of Immigration Officer)

Alien has been advised of communication privileges ____________ (Date/Initials)

Distribution:

AFILE NN13- NEG

STATS SQ11- NEG

AGENT

Received: (Subject and Documents) (Report of Interview)

Officer: J 6193 BELTRAN

on: November 26, 2025 (time)

Disposition: Warrant of Arrest/Notice to Appear

Examining Officer: HERRERA, I 2209

Form I-213 (Rev. 08/01/07)

U.S. Department of Homeland Security **Continuation Page for Form I-213**

Alien's Name	File Number	Date
MINHAS, SAHIL	[redacted] Event No: [redacted]	11/26/2025

Subject Health Status

The subject claims good health.

Current Administrative Charges

11/26/2025 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)

RECORDS CHECKED

CIS checked on 11/26/2025 with Negative result.
EARM checked on 11/26/2025 with Positive result.
TECS checked on 11/26/2025 with Negative result.
IAFIS checked on 11/26/2025 with Positive result.

TYPE OF EMPLOYMENT

Occupation Not Reported

Arrested At/Near

255 D STREET SAN BERNARDINO CA 92410 USA

Record of Deportable/Excludable Alien:

ERO San Bernardino
MINHAS, SAHIL [redacted]
COB/COC: INIDA
DNA: [redacted]

On November 26, 2025, Enforcement and Removal Operations (ERO) San Bernardino Team #A encountered MINHAS at the ISAP office at 255 North D St, San Bernardino, CA 92401. Upon reviewing record checks, MINHAS was served with a Notice to Appear (NTA) on March 30, 2023. MINHAS was a Failure to Prosecute and was taken into custody and served a new NTA. MINHAS was subsequently taken into ICE custody.
/
MINHAS, SAHIL is not a national or citizen of the United States (U.S.). MINHAS, SAHIL is a national and citizen of India by virtue of birth.///
//

IMMIGRATION HISTORY
On March 27, 2023, the U.S. Border Patrol (USBP) arrested MINHAS, SAHIL near Jacumba, (CA). MINHAS admitted to having entered the U.S. near Tecate, CA, without being admitted or inspected by an immigration officer. MINHAS did not possess a valid unexpired immigrant visa, reentry permit, border crossing card or other valid documents allowing them to enter or remain in the U.S. At the time of apprehension, MINHAS claimed to be a citizen and national of India to the Border Patrol Agents.
On March 30, 2023, USBP served MINHAS with a Notice to Appear, Form I-862, pursuant to Section 212(a)(6)(A)(i) of the Immigration and Nationality Act, present without admission or parole. Due to lack of bed space, USBP instructed MINHAS to report in person to the nearest ERO Los Angeles in Los Angeles, CA.
On June 23, 2023, an immigration judge in Los Angeles, CA, issued a ruling of Failure to

Signature	Title
J 6193 BELTRAN	Deportation Officer

EOIR - 2 of 3

U.S. Department of Homeland Security **Continuation Page for Form** I-213

Alien's Name	File Number	Date
MINHAS, SAHIL	241 032 595 Event No: SBD2611000234	11/26/2025

Prosecute the previously issued March 30, 2023, NTA.
CRIMINAL HISTORY
N/A

ADDITIONAL INFORMATION
MINHAS does have an appeal pending with no stay with the Board of Immigration Appeals.
MINHAS claims that he has not served in the U.S. Armed Forces.

MINHAS claims to have no pending applications or petitions pending with the U.S. Citizenship and Immigration Service.

MINHAS makes no claims to benefits or U.S. citizenship.

MINHAS claims no association or affiliation with any gangs.

MINHAS claims to have no medical issues.
MINHAS claims his parents are both citizens and nationals of India and are not U.S. Lawful Permanent Residents or U.S. Citizens.

CONSULAR NOTIFICATION
MINHAS was notified of the right to communicate with a consular officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations.

CASE DISPOSITION
It was determined that MINHAS is amenable to removal and was taken into ERO Los Angeles custody.

Minhas will be processed as a Notice to Appear and will remain in ICE custody pending removal proceedings.

Other Identifying Numbers

ALIEN-[redacted]
Other Biometric-[redacted]
..COMMENT: FINS

Signature	Title
J 6193 BELTRAN	Deportation Officer

EOIR – 3 of 3

3 of 3 Pages

Form I-831 Continuation Page (Rev. 08/01/07)