

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

SUKRU TEMUCIN ASLAN,
Petitioner,

v.

Respondents.

Case No. EP-26-CV-00414-DB

REVISED SUPPLEMENTAL RESPONSE TO RESPONDENTS'
FEBRUARY 24, 2026 ADVISORY

Petitioner respectfully submits this revised supplemental response.

Respondents characterize Petitioner's conviction as an aggravated felony and imply dangerousness. Petitioner disputes that characterization. The Government's characterization of Petitioner's conviction is contested and does not relieve it of its constitutional burden at a bond hearing.

The issue before this Court is whether Petitioner received a constitutionally adequate bond hearing consistent with due process.

I. Constitutional Deficiency in the Bond Proceeding

The Immigration Judge's written order consists solely of a checked box marked "Denied - Danger."

The order contains no factual findings, no articulated burden of proof, no explanation that the Government met a clear and convincing evidence standard, and no individualized analysis of flight risk or alternatives to detention.

A checkbox denial without explanation does not satisfy due process.

FILED
MAR 2 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY CLERK

II. Clarification of the 2019 Incident

On September 16, 2019, Petitioner was not arrested at the time of the alleged incident.

Approximately four days later, law enforcement officers went to his residence but did not locate him.

Officers subsequently contacted Petitioner by telephone and requested that he appear at the station.

Petitioner voluntarily appeared with counsel and provided a statement. He was not taken into custody at that time.

III. Federal Case Compliance and Judicial Trust

On August 31, 2023, Petitioner was arrested in connection with his federal case and remained in custody for one night. The following day, a federal judge released him on bond.

Petitioner remained on federal supervision for approximately 20 months. During that time, he did not miss a single court appearance and committed no violations.

On February 10, 2025, Petitioner was sentenced to 8 months of imprisonment. Importantly, the sentencing judge granted Petitioner an additional three months before surrender, reflecting judicial confidence that Petitioner would comply. Petitioner honored that trust and voluntarily surrendered on the exact date ordered.

IV. Restitution and Financial Responsibility

The federal Judgment reflects a conviction under 18 U.S.C. § 641 and orders restitution pursuant to 18 U.S.C. § 3663A in the amount of \$75,000.

The Judgment contains no explicit judicial finding of "loss" as required under INA § 101(a)(43)(M)(i).

While in Bureau of Prisons custody, Petitioner entered into the Financial Responsibility Program and agreed to make scheduled payments. Official records reflect that Petitioner began making payments and remained compliant. His last payment prior to ICE detention was made on November 10, 2025.

These actions demonstrate accountability and compliance with court-ordered obligations.

V. ICE Detainer Classification

The ICE detainer issued while Petitioner was in custody does not check the box indicating that he "otherwise poses a risk to national security, border security, or public safety."

If Petitioner posed an ongoing public safety threat, the Government's own detainer classification would reflect that determination. It does not.

VI. Conclusion

Respondents' February 24 filing does not cure the constitutional deficiencies in the bond hearing.

Petitioner respectfully maintains that continued detention without a constitutionally adequate and individualized bond determination violates due process and that habeas relief remains warranted.

Respectfully submitted,

Sukru Temucin Aslan
Petitioner Pro Se
Date: 02/26/2026

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2026, a true and correct copy of the foregoing Revised Supplemental Response was served by U.S. Mail upon counsel for Respondents at the address listed on their most recent filing with this Court.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 02/26/2026

STA.

Sukru Temucin Aslan
Petitioner Pro Se