

Name and Prisoner Number/Alien Reg ber
Mohammad Mehdi Kordiyani-Nama/
Place of Confinement
Otero County Processing Center
Mailing Address
26 McGregor Range Rd
City, State, Zip Code Chaparral, NM 88081
(Failure to notify the Court of a change of address may result in dismissal of this action.)

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
FEB 13 2026 
MITCHELL R. ELFERS
CLERK 

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Mohammad Mehdi Kordiyani-Nama,

(Full Name of Petitioner)

CV 26-408 SMD/DLM

Petitioner,

V. Warden, Otero County Processing Center;
Secretary of Homeland Security;
Attorney General of the United States,

(Name of Warden, Jailor or authorized person
having custody of Petitioner)

No. CV
(To be supplied by the Clerk)

☐ AMENDED PETITION

Respondent(s).

PETITION UNDER 28 U.S.C. § 2241 FOR A WRIT OF HABEAS CORPUS

1. What are you challenging in this petition?

- ☒ Immigration detention
☐ Bureau of Prisons sentence calculation or loss of good-time credits
☐ Probation, parole or supervised release
☐ State Pre-trial detention
☐ Other (explain): NA

2. (a) Name and location of the agency or court that made the decision you are challenging:

U.S. Immigration and Customs Enforcement (ICE) /Executive Office for Immigration Review (EOIR)

(b) Case or opinion number:

(c) Decision made by the agency or court: _____

Continued and prolonged immigration detention following a denial of bond, while an appeal of the removal order remains pending before the Board of Immigration Appeals.

(d) Date of the decision: Removal order issued: 10/08/2025, Bond denied: 12/05/2025, 01/28/2026

3. Did you appeal the decision to a higher agency or court? Yes ☒ No ☐
If yes, answer the following:

(a) First appeal:

- (1) Name of the agency or court: Board of Immigration Appeals (BIA)
- (2) Date you filed: 10/22/2025
- (3) Opinion or case number: 
- (4) Result: Pending
- (5) Date of result: N/A
- (6) Issues raised: Appeal challenges the Immigration Judge's order of removal and denial of relief.

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(b) Second appeal: No, The initial appeal before the Board of Immigration Appeals remains pending.

- (1) Name of the agency or court: N/A
- (2) Date you filed: N/A
- (3) Opinion or case number: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(c) Third appeal: The initial appeal before the Board of Immigration Appeals remains pending.

- (1) Name of the agency or court: N/A
- (2) Date you filed: N/A
- (3) Opinion or case number: N/A
- (4) Result: N/A
- (5) Date of result: N/A
- (6) Issues raised: N/A

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

4. If you did not appeal this decision to a higher agency or court, explain why you did not:

N/A

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes ☒ No ☐

If yes, answer the following:

(a) Name of the Agency or court: EOIR – Otero County Immigration Court (Motion for Bond (Immigration Custody Redetermination))

(b) Date you filed: 12/01/2025 and 01/24/2026

(c) Opinion or case number: 

(d) Result: Bond denied

(e) Date of result: 12/05/2025 and 01/28/2026

(f) Issues raised: Eligibility for release on bond from immigration detention

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

6. For this petition, **state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States.** Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) any available administrative or judicial remedies on each ground on which you requested action by the federal court.

GROUND ONE: Prolonged Detention Without a Foreseeable End Date

This petition challenges Petitioner's continued civil immigration detention, not the merits of the removal order.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): _____

Petitioner has been continuously detained in ICE custody for more than one year. Petitioner is subject to a removal order, but he timely filed an appeal that remains pending before the Board of Immigration Appeals (BIA). Because the BIA appeal is still pending, there is no fixed or foreseeable removal date.

As a result, Petitioner's detention has become prolonged and open-ended. Continued detention under these circumstances has become excessive and is no longer reasonably connected to any legitimate purpose, especially where less restrictive alternatives are available and Petitioner has a stable release plan and strong family support in the United States.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground One?

Yes ☒

No ☐

(c) If yes, did you present the issue to:

- ☒ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ The State Court
- ☐ Other: _____

(d) If you did not exhaust all available remedies relating to Ground One, explain why:

N/A

GROUND TWO: Lack of a Meaningful and Individualized Bond Determination

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

Petitioner previously sought release on bond. Bond was denied based primarily on the existence of a removal order and an alleged risk of flight. Petitioner has strong immediate family support in the United States, including U.S. citizens and lawful permanent residents, who can provide stable housing, transportation, financial support, and supervision.

Petitioner is willing to comply with any conditions of release, including electronic monitoring and regular reporting. Petitioner has every incentive to appear for all proceedings while his appeal is pending. Continued detention without a meaningful and individualized custody determination is unnecessary.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Two?

Yes ☐

No ☒

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ The State Court
- ☐ Other: N/A

(d) If you did not exhaust all available remedies relating to Ground Two, explain why:

Administrative immigration proceedings do not provide a prompt and adequate mechanism for renewed, individualized custody review after prolonged detention.

GROUND THREE: Lack of a Current Necessity Assessment and Failure to Consider Alternatives

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

Petitioner's continued detention is not supported by a current, individualized assessment that detention remains necessary. Reasonable and less restrictive alternatives to detention are available, including release on bond or under conditions of supervision.

Given the prolonged duration of detention, the pending BIA appeal, and Petitioner's strong family guarantees, continued detention is disproportionate. While the merits of Petitioner's fear-based claims and country conditions are under review by the BIA, custody under strict conditions would adequately address any appearance concerns.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Three?

Yes ☐

No ☒

(c) If yes, did you present the issue to:

☐ The Board of Immigration Appeals

☐ The Office of General Counsel

☐ The Parole Commission

☐ The State Court

☐ Other: N/A

(d) If you did not exhaust all available remedies relating to Ground Three, explain why:

The relief sought—prompt custody review or release under conditions—is not effectively available through the ongoing BIA merits process.

GROUND FOUR:

Prolonged Detention Causes Irreparable Harm and Is Disproportionate to Any Legitimate Purpose

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

Petitioner's prolonged detention has caused substantial and ongoing harm, including separation from close family members who are ready and able to support him upon release. Prolonged confinement in a remote detention facility substantially interferes with Petitioner's ability to communicate with family, gather documents, and assist meaningfully with his pending legal proceedings.

Petitioner's case remains actively pending before the BIA, and continued detention is not necessary to ensure compliance where strict conditions of release are available and acceptable. The continued detention has become punitive in effect and is disproportionate to any legitimate administrative purpose.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Four?

Yes ☐

No ☒

(c) If yes, did you present the issue to:

☐ The Board of Immigration Appeals

- ☐ The Office of General Counsel
☐ The Parole Commission
☐ The State Court
☐ Other: N/A

(d) If you did not exhaust all available remedies relating to Ground Four, explain why: _____

The type of harm and the custody relief sought here cannot be fully remedied through the BIA merits process.

Please answer these additional questions about this petition:

7. Are you challenging your conviction or sentence in any of the grounds raised above?

Yes ☐ No ☒

(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless remedies under § 2255 are legally inadequate or ineffective. Claims challenging a state conviction or sentence must be raised in a petition for writ of habeas corpus under 28 U.S.C. § 2254.)

If yes, answer the following:

- (a) Have you filed -- a motion under 28 U.S.C. § 2255? Yes ☐ No ☐
 -- a petition under 28 U.S.C. § 2254? Yes ☐ No ☐

If yes, answer the following:

(1) Name of court: N/A

(2) Case number: N/A

(3) Opinion or case number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(b) Explain why the remedy under § 2255 is inadequate or ineffective: N/A

8. If this petition concerns immigration detention or removal proceedings, answer the following:

(a) Date you were taken into immigration custody: 02/02/2025

(b) Date of removal or reinstatement order: 10/08/2025

(c) Did you file an appeal with the Board of Immigration Appeals? Yes ☒ No ☐

(1) Date you filed: 10/22/2025

(2) Case number: 

(3) Result: Pending

(4) Date of result: N/A

(5) Issues raised: Appeal of removal order / denial of relief

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

9. If this petition concerns your confinement by the State of New Mexico, answer the following:

(a) Date you were arrested/detained: N/A

(b) Charge(s) brought: N/A

(c) Projected date of your trial: N/A

(d) Are you represented by counsel? Yes ☐ No ☐

(e) Have you raised your claims in the State Court? Yes ☐ No ☐

(1) Name of Court: N/A

(2) Date you filed: N/A

(3) Case number: N/A

(4) Result: N/A

(5) Date of result: N/A

(6) Issues raised: N/A

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

10. Petitioner asks that the Court grant the following relief: _____

Petitioner respectfully requests that this Honorable Court:

Order Petitioner's immediate release from immigration custody; or In the alternative, order a prompt and constitutionally adequate bond hearing before a neutral decision-maker that includes a meaningful and individualized determination of whether continued detention is necessary; and Grant such other and further relief as the Court deems just and proper.

_____ or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 02/09/2026 (month, day, year).



Signature of Petitioner

N/A

Signature of attorney, if any

02/09/2026

Date

INDEX OF EXHIBITS

Petitioner: Mohammadmehdi Kordiyani-Nama (A )

Proceeding: Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Court: United States District Court, District of New Mexico

Exhibit A – Completed Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Exhibit B – Copy of Petitioner's Passport

Exhibit C – Immigration Judge's Decision (Order of Removal)

Exhibit D – Receipt / Proof of Filing Immigration Appeal (BIA Appeal)

Exhibit E – Immigration Judge's Decision Denying Bond

Exhibit F – Declaration of Support by Sogand Sasani

Exhibit G – Declaration of Support by Shwon Sasani

Exhibit H – Proof of U.S. Citizenship of Shwon Sasani (Passport and/or Certificate of Citizenship)

Exhibit I – Proof of U.S. Citizenship and Identity of Sogand Sasani (Passport, Certificate of Citizenship, Birth Certificate, and Legal Name Change Documentation)

Exhibit J – Proof of Home Ownership (Mortgage Statements for Properties Owned by Sogand and Shwon Sasani)

Exhibit K – 2024 Federal Tax Return of Sogand Sasani and Shwon Sasani

Exhibit L – Business License of Air Tech 24 Heating and Air Conditioning, Inc.

Exhibit M – Joint Declaration of Parents (Azam Ghadampour Foroushani and Azizallah Kordiyani-Nama)

Exhibit N – Copies of Lawful Permanent Resident Cards (Green Cards) of Petitioner's Parents

Exhibit O – Release Plan for Mohammadmehdi Kordiyani-Nama

EXHIBIT A

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Completed Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

EXHIBIT A

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: A 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Completed Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

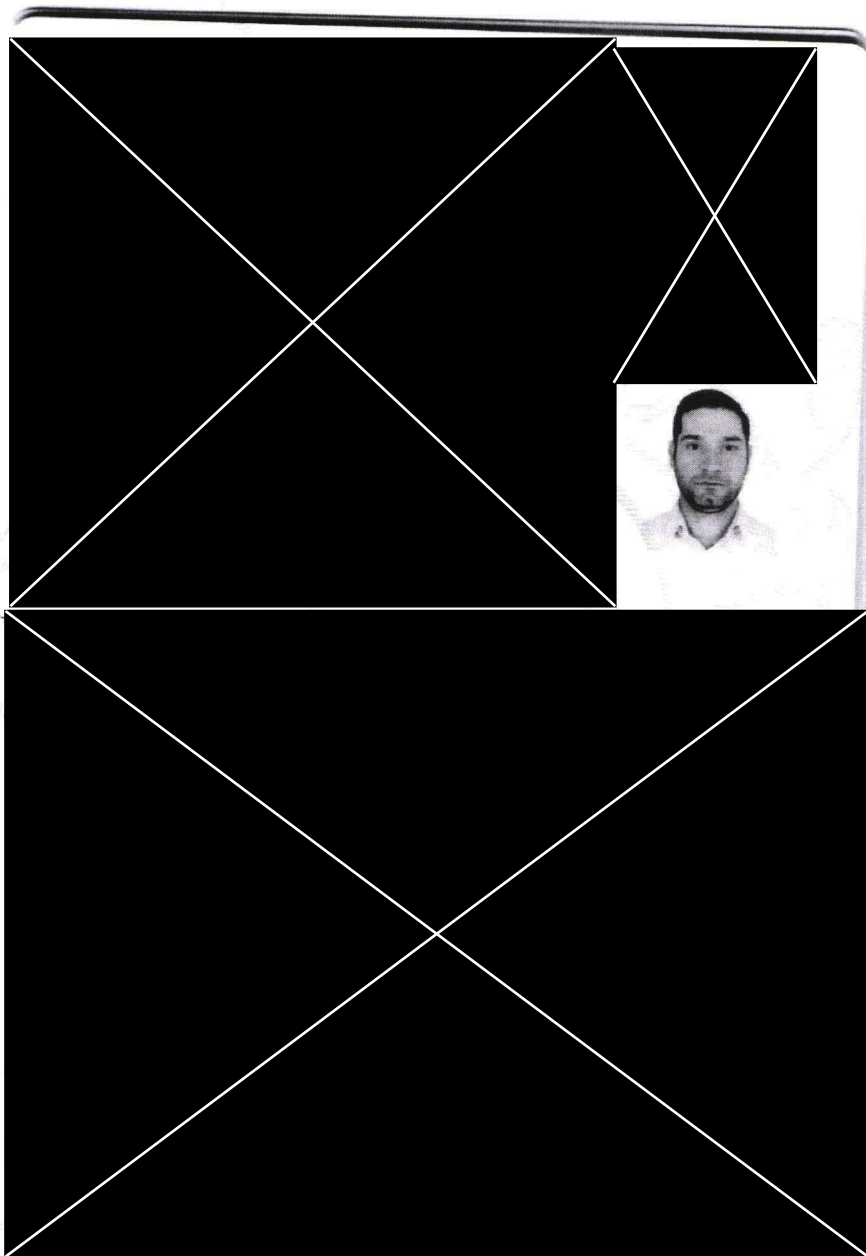


EXHIBIT A

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

~~Completed~~ ~~Petition for~~ ~~Writ of Habeas Corpus~~ (28 U.S.C. § 2241)



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

Respondent Name:

KORDIYAN NAMA, MOHAMMAD
MEHDI

To:

nassiripour, ali reza
15615 Alton Parkway
Suite 450
Irvine, CA 92618

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

10/08/2025

- ☐ Unable to forward - no address provided.
- ☒ Attached is a copy of the **decision of the Immigration Judge**. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
- Board of Immigration Appeals
Office of the Clerk
P.O. Box 8530
Falls Church, VA 22041
- ☐ Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242B(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252B(c)(3) in deportation proceedings or section 240(b)(5)(c), 8 U.S.C. § 1229a(b)(5)(c) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

Immigration Court

- ☐ Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available.
- ☐ Attached is a copy of the decision of the immigration judge relating to a **Credible Fear Review**. This is a final order. No appeal is available.

EXHIBIT A

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Completed Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)





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

Respondent Name:

KORDIYAN NAMA, MOHAMMAD
MEHDI

To:

nassiripour, ali reza
15615 Alton Parkway
Suite 450
Irvine, CA 92618

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

10/08/2025

ORDER OF THE IMMIGRATION JUDGE

- ☒ This is a summary of the oral decision entered on 10/08/2025. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- ☐ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent ☐ removable ☒ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): (212)(a)(6)(A)(i)

The immigration court found Respondent ☐ not removable ☐ not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- ☒ Asylum was ☐ granted ☒ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☒ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Withholding of Removal under the Convention Against Torture was ☐ granted ☒ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

- ☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

C. Waiver

- ☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

D. Adjustment of Status

- ☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

E. Other**III. Voluntary Departure**

- ☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ denied.
- ☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ granted, and Respondent is ordered to depart by . The respondent must post a \$ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.
- ☐ The respondent is subject to the following conditions to ensure his or her timely departure from the United States:
- ☐ Further information regarding voluntary departure has been added to the record.
- ☐ Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

- ☐ the presumptive civil monetary penalty amount of \$3,000.00 USD
- ☐ \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of

10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

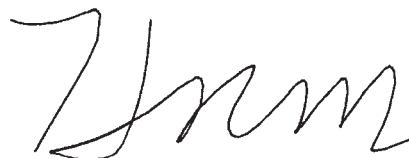
IV. Removal

- ☒ Respondent was ordered removed to Iran
- ☐ In the alternative, Respondent was ordered removed to
- ☐ Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

V. Other

- ☐ Proceedings were ☐ dismissed ☐ terminated with prejudice
☐ terminated without prejudice ☐ administratively closed.
- ☐ Respondent's status was rescinded under INA § 246.
- ☐ Other:



Immigration Judge: MARTINEZ, HUGO 10/08/2025

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

Appeal Due: 11/07/2025

Certificate of Service

This document was served:

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

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

Respondent Name : KORDIYAN NAMA, MOHAMMAD MEHDI | A-Number : 

Riders:

Date: 10/08/2025 By: GALBRAITH, PARKER, Court Staff

EXHIBIT D

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A-

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Receipt / Proof of Filing Immigration Appeal (BIA Appeal)

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
OTERO, NM

Oct 23, 2025

A



KORDIYAN NAMA, MOHAMMAD MEHDI

TO: Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

This Record of Proceeding (ROP) is forwarded to the Board of Immigration Appeals for consideration of the following:

- ☐ [XXXX] Appeal of the Immigration Judge decision.
- ☐ [] Appeal of Immigration Judge decision on a motion to reopen.

Please note:

- ☐ [XXXX] The respondent / applicant is DETAINED.
- ☐ [] Other _____

- ☐ [] This ROP is for an appeal on a decision entered prior to July 1, 1996.
This ROP is being submitted to APU at the following stage:
 - ☐ [] Notice of Appeal filed. Tapes need to be transcribed.
 - ☐ [] IJ has signed decision. Briefing schedule needs to be set.
 - ☐ [] Motion for Extension of Time to Extend Briefing Schedule has been submitted.
 - ☐ [] Briefing Schedule is complete / expired.

PZ



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BOARD OF IMMIGRATION APPEALS**

nassiripour, ali reza
Nassiripour Law Firm
15615 Alton Parkway
Suite 450
Irvine, CA 92618

DHS/ICE OPLA-OTERO
26 MCGREGOR RANGE ROAD, OPLA
SUITE
CHAPARRAL, NM 88081

Name:

KORDIYAN NAMA, MOHAMMAD MEHDI



Riders:

Date of Notice: 10/23/2025

FILING RECEIPT FOR APPEAL OR MOTION

The Board of Immigration Appeals (Board or BIA) acknowledges receipt of the appeal or motion and fee or fee waiver request (where applicable) on 10/22/2025, in the above-referenced case, filed by the Respondent

Additional Comments
N/A

WARNING FOR APPEALS:

Departure. If you leave the United States after filing this appeal but before the Board issues a decision, your appeal may be considered withdrawn and the Immigration Judge's decision will become final as if no appeal had been taken (unless you are an "arriving alien" as defined in the regulations under 8 C.F.R. § 1001.1(q)).

EXHIBIT D

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: A: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Receipt / Proof of Filing Immigration Appeal (BIA Appeal)



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

Respondent Name:

KORDIYAN NAMA, MOHAMMAD
MEHDI

To:

KORDIYAN NAMA, MOHAMMAD
MEHDI
OTERO COUNTY PROCESSING CTR
26 MCGREGOR RANGE ROAD
CHAPARRAL, NM 88081

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

01/28/2026

ORDER OF THE IMMIGRATION JUDGE

☒ Respondent ☐ the Department of Homeland Security has filed a motion to reconsider.

Upon consideration of the motion, and any opposition from the non-moving party, the motion is
☐ granted ☒ denied for the following reason(s):

- ☐ The motion is numerically barred. *See* INA § 240(c)(6)(A); 8 C.F.R. § 1003.23(b)(1).
- ☐ The motion is untimely. *See* INA § 240(c)(6)(B); 8 C.F.R. § 1003.23(b)(1).
- ☐ The motion does not specify errors of law or fact in the previous order or is not supported by pertinent authority. *See* INA § 240(c)(6)(C); 8 C.F.R. § 1003.23(b)(2).

☒ Other:

Flight Risk due to pending removal order



Immigration Judge: Palomino, Jacinto 01/28/2026

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 | [U] Address Unavailable

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

Respondent Name : KORDIYAN NAMA, MOHAMMAD MEHDI | A-Number :



Riders:

Date: 01/28/2026 By: GUTIERREZ, CYNTHIA, Court Staff

EXHIBIT D

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: A 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Receipt / Proof of Filing Immigration Appeal (BIA Appeal)

**DECLARATION OF SOGAND SASANI
IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

I, **Sogand Sasani**, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am over eighteen (18) years of age and competent to make this declaration. I am a United States citizen and currently reside at [REDACTED]

2. I am the sister of Mohammadmehdi Kordiyani-Nama (A# [REDACTED]), the Petitioner in this habeas corpus proceeding. I submit this declaration in support of his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

3. My brother has been detained by U.S. Immigration and Customs Enforcement for a prolonged period while his immigration appeal remains pending. His continued detention has caused significant emotional, psychological, and humanitarian hardship to him and to our entire family.

4. I am fully willing and financially able to serve as my brother's sponsor upon release. I will provide him with stable and permanent housing at my residence. Our home includes a separate guest house, where my brother will reside, providing privacy and stability while remaining under our direct supervision and care.

5. I will ensure that all of my brother's living expenses are fully covered, including housing, food, transportation, medical care, and any other necessities. He will not rely on any form of public assistance.

6. I am fully willing to comply with and support any conditions of release imposed by this Court or by the Department of Homeland Security, including electronic monitoring, reporting requirements, or any other conditions deemed appropriate.

7. I will personally ensure that my brother appears at all immigration court hearings, ICE appointments, legal meetings, and medical visits, and I accept responsibility for assisting him in maintaining full compliance with all legal obligations.

8. My brother has exceptionally strong, well-documented, and ongoing family ties in the United States. Numerous immediate and extended family members who are United States citizens or lawful permanent residents are fully aware of his circumstances and are committed to supporting his release and ensuring his full compliance with all legal obligations. These family members include the following:

- His Sister: Sogand Sasani, [REDACTED]
- His Brother-in-Law: Shwon Sasani, [REDACTED]
- His Mother: Aazam Ghadampour Foroushani, [REDACTED]
- His Father: Azizallah Kordiyani-Nama [REDACTED]
- His Sister: Zari Kordiyani-Nama, [REDACTED]
- His Aunt and Uncle: Fatemeh Nama and Manooch Shadnia [REDACTED]
- His Cousin and Her Husband: Samar Belgiano and Justin Belgiano, [REDACTED]

Each of the individuals listed above has expressed a clear willingness to assist with my brother's housing, supervision, transportation, court appearances, and overall compliance with all conditions imposed by this Court or by the Department of Homeland Security. In light of this extensive and reliable family support network, my brother presents no risk of flight and has every incentive to comply fully with the legal process.

9. Given the availability of less restrictive alternatives to detention, strong family sponsorship, stable housing, and ongoing immigration proceedings, my brother's continued detention is unnecessary, excessive, and disproportionate.

10. I respectfully request that the Court consider this declaration as evidence that my brother can be safely and responsibly released while his immigration case and appeal remain pending.

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

Executed on this 6th day of February, 2026, at Palos Verdes Peninsula, CA 90274



Sogand Sasani

EXHIBIT G

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Declaration of Support – Shwon Sasani

**DECLARATION OF SHWON SASANI
IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

I, **Shwon Sasani**, submit this declaration based on my personal knowledge and experience. I make this statement voluntarily and under penalty of perjury under the laws of the United States of America.

I am a United States citizen and reside with my wife at our home in Palos Verdes Peninsula, California. I am the brother-in-law of **Mohammadmehdi Kordiyani-Nama** ([REDACTED])

I have followed my brother-in-law's situation closely since his detention by U.S. Immigration and Customs Enforcement. He has remained in custody for a significant period while his immigration appeal is pending. From both a family and practical standpoint, continued detention serves no meaningful purpose given the level of support and supervision available to him outside of detention.

My wife and I jointly own and operate **Air Tech 24 Heating and Air Conditioning, Inc.**, a family-run business that we manage on a daily basis. This business provides us with stable income and long-term professional responsibilities in California. In addition, we own four residential properties in Los Angeles County, reflecting permanent residence, financial stability, and long-standing ties to the community.

If released, Mr. Kordiyani-Nama will live in the guest house located on our primary property. This arrangement allows for consistent family supervision while also providing appropriate privacy and structure. All housing, transportation, and daily living needs will be provided by our household.

I am prepared to assist directly with ensuring compliance with any conditions imposed by the Court or by the Department of Homeland Security. This includes transportation to immigration court hearings, ICE appointments, legal meetings, and compliance with any monitoring or reporting requirements that may be ordered.

Based on my direct knowledge of our family structure, our ability to supervise and support him, and his strong ties to family members in the United States, I do not believe that Mr. Kordiyani-Nama presents any risk of flight. He will remain under close family oversight while his case proceeds.

For these reasons, I believe that less restrictive alternatives to detention are available and appropriate, and that continued detention is unnecessary under the circumstances.

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

Executed on this 6th day of February, 2026, at Palos Verdes Peninsula, CA

90274



Shwon Sasani

EXHIBIT G

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: / 

Detention Facility: Otter County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Declaration of Support – Shwon Sasani

EXHIBIT I

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A# 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Proof of U.S. Citizenship and Identity – Sogand Sasani

EXHIBIT J

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Proof of Home Ownership (Mortgage Statements)

EXHIBIT J

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Proof of Home Ownership (Mortgage Statements)

EXHIBIT J

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Proof of Home Ownership (Mortgage Statements)

EXHIBIT J

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: A 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Proof of Home Ownership (Mortgage Statements)

**JOINT DECLARATION OF AZAM GHADAMPOUR FOROUSHANI AND
AZIZALLAH KORDIYAN-NAMA
IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

We are the mother and father of Mohammadmehdi Kordiyani-Nama ( We submit this declaration to express our personal support for our son and to describe our involvement in his life should he be released from detention.

We currently reside in Redondo Beach, California, near the residence of our daughter and son-in-law. Because of this proximity, we are able to remain closely involved in our son's daily life and well-being.

Our son's prolonged detention while his immigration appeal remains pending has been extremely difficult for us as parents. Knowing that he remains detained despite having strong family support has caused significant emotional hardship for our entire family.

Because I live very close to my daughter's home, I am present on a regular and frequent basis. I maintain consistent in-person contact with my children and remain actively involved in their daily lives. This close proximity allows me to provide ongoing support, guidance, and attention, and to remain aware of their day-to-day well-being. My regular presence is part of our normal family routine and reflects the strong, continuous involvement I have in my children's lives.

If our son is released, we will visit him regularly, remain in close contact, and provide ongoing emotional support and guidance. We will also assist our daughter and son-in-law in monitoring his well-being and ensuring that he follows all conditions imposed by the Court or by immigration authorities.

We fully support the proposed release plan. Our son would live in a stable and supervised environment, surrounded by immediate family members who care deeply about his safety, stability, and compliance with the legal process.

From our perspective as parents, our son has strong reasons to comply with all rules and attend all required appointments and hearings. He wishes to resolve his case lawfully and remain close to his family. We do not believe that he presents any risk of flight.

Declaration of Azam Ghadampour Foroushani

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 6th day of February, 2026, at Redondo Beach, CA 90278



Azam Ghadampour Foroushani

Declaration of Azizallah Kordiyani-Nama

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 6th day of February, 2026, at Redondo Beach, CA 90278



Azizallah Kordiyani-Nama

EXHIBIT G

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyan-Nama

A-Number: / 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Declaration of Support – Shwon Sasani

EXHIBIT O

Petition for Writ of Habeas Corpus (28 U.S.C. § 2241)

Petitioner: Mohammadmehdi Kordiyani-Nama

A-Number: 

Detention Facility: Otero County Processing Center

Court: United States District Court, District of New Mexico

Description of Exhibit:

Release Plan for Mohammadmehdi Kordiyani-Nama

RELEASE PLAN

For Mohammadmehdi Kordiyani-Nama (A# [REDACTED])

If Mohammadmehdi Kordiyani-Nama is released from detention, the following plan will be put into place immediately.

Where he will live

Mehdi will live at our home located at [REDACTED]

[REDACTED] There is a separate guest house on our property where he will stay. This allows privacy while still providing daily family supervision.

Who is responsible for him

We, Sogand Sasani (his sister) and Shwon Sasani (his brother-in-law), will be fully responsible for Mehdi after his release. We live at this address and will see him every day. In addition, Mehdi's parents and his other sister live nearby and will regularly visit him and help monitor his well-being.

Financial support

Mehdi will be fully supported by us. We will cover all of his living expenses, including housing, food, transportation, medical needs, and daily costs. He will not require public assistance.

Transportation and court obligations

We will personally make sure that Mehdi attends all immigration court hearings, ICE appointments, and meetings with his attorney. Transportation will be provided by us.

Monitoring and conditions

Mehdi understands and agrees to comply with any conditions of release set by the Court or by DHS, including electronic monitoring or reporting requirements. We are prepared to help ensure full compliance.

Acceptance

We understand that failure to comply with the conditions of release may result in re-detention. We take this responsibility seriously and are prepared to cooperate fully with the Court and immigration authorities.


Sogand Sasani – Primary Sponsor

Date: 02/06/2026


Shwon Sasani – Co-Sponsor

Date: 02/06/2026


Mohammadmehdi Kordiyani-Nama – Petitioner

Date: 02/09/2026

Declaration of Mohammad Mehdi Kordiyan-Nama

I, Mohammad Mehdi Kordiyan-Nama, Respectfully declare as follow:

I am currently detained in ICE Custody at the Otero County Processing Center in New Mexico and have been continuously detained since about February 2, 2025.

On October 8, 2025- an Immigration Judge issued a Removal Order in my case. I timely appealed that decision to the Board of Immigration Appeals on October 22, 2025. and my appeals remains pending. while my appeal is under review, I remain in detention with no clear or foreseeable date for resolution.

I have requested release from detention on bond more than one time. My bond request was denied on December 5, 2025. More recently, on January 28, 2026 I again requested release on bond or under condition supervision. Despite these request, I continue to be detained without a current and individualized assessment of whether detention remains necessary.

I have strong family support in the United States of America, including immediate family members who are U.S. citizens and Lawful permanent to provide housing, Transportation, and support if I am released. I am willing to comply with any reasonable conditions of release imposed by the court.

(Continued to page 2)

I respectfully request relief from Continued immigration detention, or in the alternative, a prompt and meaningful bond hearing.

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

Executed on 02/09/2026.

Mohammad mehdi Kerdixan-Nama

A handwritten signature in blue ink, consisting of a stylized 'M' and 'K' followed by a horizontal line.