

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASLANBEK BASKAEV,

Petitioner,

v.

J.L. JAMISON, in his official capacity as
Warden, Federal Detention Center,
Philadelphia;

DAVID O'NEILL, in his official capacity as
Acting Field Office Director, ICE ERO
Philadelphia Field Office;

TODD LYONS, in his official capacity as
Acting Director, U.S. Immigration and
Customs Enforcement;

KRISTI NOEM, in her official capacity as
Secretary, U.S. Department of Homeland
Security;

U.S. DEPARTMENT OF HOMELAND SECURITY;

PAMELA BONDI, in her official capacity as
Attorney General of the United States,

Respondents.

Civil Action No. _____

PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

Petitioner Aslanbek Baskaev ("Petitioner"), by and through his undersigned counsel, respectfully petitions this Honorable Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, the Suspension Clause of the United States Constitution, Art. I, § 9, cl. 2, and the Due Process Clause of the Fifth Amendment. Petitioner seeks immediate release from unlawful detention, or in the alternative, a constitutionally adequate bond hearing before an Immigration

Judge at which the Government bears the burden of justifying continued detention by clear and convincing evidence.

Petitioner is a native and citizen of Russia who has resided in the United States since December 23, 2021—over four years. He has a pending application for asylum, a wife and two minor children, no criminal history, and a demonstrated record of compliance with all immigration requirements, including regular ICE check-ins. On February 18, 2026, Petitioner was re-detained by ICE agents when he appeared for a routine check-in at the ICE Philadelphia Field Office. He is currently held at the Federal Detention Center (“FDC”) in Philadelphia, Pennsylvania, without a bond hearing, pursuant to the Government’s unlawful application of 8 U.S.C. § 1225(b)(2)(A).

Petitioner’s detention is unlawful because § 1225(b)(2)(A) applies only to noncitizens who are “seeking admission” at a port of entry—not to individuals who, like Petitioner, have been residing in the United States for years. The correct statutory authority governing Petitioner’s detention is 8 U.S.C. § 1226(a), which provides for discretionary detention and bond eligibility. Hundreds of federal district courts across every circuit have reached this same conclusion, rejecting the Government’s reliance on *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), and the related DHS policy. This Court should do the same.

JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to 28 U.S.C. § 2241, which authorizes district courts to grant writs of habeas corpus to persons “in custody in violation of the Constitution or laws . . . of the United States.” 28 U.S.C. § 2241(c)(3).
2. This Court also has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1651 (All Writs Act), 5 U.S.C. § 702 (Administrative Procedure Act), and the Fifth Amendment to the United States Constitution.

3. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and 2241(d) because Petitioner is detained at FDC Philadelphia, located at 700 Arch Street, Philadelphia, Pennsylvania 19106, within the Eastern District of Pennsylvania.

PARTIES

4. Petitioner Aslanbek Baskaev is a native and citizen of Russia, born on  He entered the United States on December 23, 2021, at the Otay Mesa, California port of entry. He has a pending application for asylum and has resided in the United States continuously for over four years. He is currently detained at FDC Philadelphia, 700 Arch Street, Philadelphia, PA 19106.
5. Respondent J.L. Jamison is the Warden of FDC Philadelphia and is sued in his official capacity as the immediate custodian of Petitioner.
6. Respondent David O'Neill is the Acting Field Office Director of the ICE Enforcement and Removal Operations ("ERO") Philadelphia Field Office and is sued in his official capacity. He is responsible for the enforcement of immigration laws and the detention of noncitizens in this geographic area.
7. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs Enforcement and is sued in his official capacity.
8. Respondent Kristi Noem is the Secretary of the U.S. Department of Homeland Security and is sued in her official capacity. DHS is the federal agency responsible for the administration and enforcement of immigration laws.
9. Respondent U.S. Department of Homeland Security is a federal agency of the United States.

10. Respondent Pamela Bondi is the Attorney General of the United States and is sued in her official capacity. The Attorney General is responsible for the administration of the Executive Office for Immigration Review and the Board of Immigration Appeals.

LEGAL FRAMEWORK

11. The Immigration and Nationality Act (“INA”) provides two distinct statutory schemes for the detention of noncitizens in removal proceedings. Section 1225 governs the inspection and detention of noncitizens who are “applicants for admission”—that is, individuals who are physically presenting themselves at the border or a port of entry and seeking to enter the United States. *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018). Section 1226 governs the detention of noncitizens who are “already in the country.” *Id.*
12. Under 8 U.S.C. § 1225(b)(2)(A), a noncitizen who is an “applicant for admission” and is “not clearly and beyond a doubt entitled to be admitted” “shall be detained” pending removal proceedings. This provision imposes mandatory detention without bond eligibility.
13. By contrast, under 8 U.S.C. § 1226(a), the Attorney General “may” arrest and detain a noncitizen “pending a decision on whether the alien is to be removed.” The Attorney General “may release” the noncitizen on “bond” or “conditional parole.” 8 U.S.C. § 1226(a)(2). A noncitizen detained under § 1226(a) is entitled to a bond hearing before an immigration judge. 8 C.F.R. §§ 236.1(d), 1236.1(d).
14. In 1997, following the enactment of IIRIRA, the agencies promulgated an interim rule explicitly providing that noncitizens who entered without inspection would “be eligible for bond and bond redetermination” under § 1226(a). 62 Fed. Reg. 10,323, 10,331 (Mar. 6, 1997). This regulation has never been rescinded or amended.

15. In *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), the BIA held that a noncitizen apprehended at the border and subsequently released is subject to mandatory detention under § 1225(b) upon re-detention. In *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), the BIA extended this holding to all noncitizens present in the United States without admission, regardless of the duration of their residence or the absence of any prior interaction with immigration authorities at the border.
16. On July 8, 2025, DHS issued a policy directive instructing all ICE officers to classify any noncitizen inadmissible under § 1182(a)(6)(A)(i) as subject to § 1225(b)(2)(A) mandatory detention, denying them bond eligibility. This policy, combined with *Yajure Hurtado*, has been rejected by hundreds of federal district courts across every circuit. *See, e.g., Murodov v. Jamison*, No. 2:26-cv-00594 (E.D. Pa. Feb. 13, 2026); *Cabreja Bueno v. O'Neill*, No. 2:26-cv-00304 (E.D. Pa. Feb. 13, 2026); *Demirel v. FDC Philadelphia*, No. 2:25-cv-05488 (E.D. Pa. Nov. 18, 2025).

FACTS AND PROCEDURAL HISTORY

A. Petitioner's Background and Entry

17. Petitioner Aslanbek Baskaev is a 38-year-old native and citizen of the Russian Federation. He was born on [REDACTED]
18. On December 23, 2021, Petitioner and his family—his wife Tamara Baskaeva and their two minor children, T [REDACTED] (born [REDACTED], now age 12) and M [REDACTED] [REDACTED] (born [REDACTED] now age 11)—presented themselves at the Otay Mesa, California port of entry and applied for admission to the United States.

19. On December 24, 2021, the Department of Homeland Security issued a Notice to Appear (“NTA”) charging Petitioner under INA § 212(a)(7)(A)(i)(I) as an immigrant not in possession of a valid entry document.
20. Petitioner was released and has resided in the United States continuously for over four years.
The family currently resides at [REDACTED]
Pennsylvania 19116.

B. Petitioner’s Ties to the Community

21. Petitioner has pending removal proceedings before the Newark Immigration Court, where he has filed an application for asylum (Form I-589) based on his fear of persecution in Russia.
22. Petitioner has been gainfully employed and has filed federal income tax returns as a married taxpayer filing jointly. His 2023 federal tax return reflects total income of [REDACTED] and his 2024 federal tax return reflects total income of [REDACTED]. Petitioner and his family hold Social Security numbers and are integrated into the economic fabric of their community.
23. Petitioner has no criminal history whatsoever. He has never been arrested, charged, or convicted of any crime in the United States.
24. Petitioner has complied with all immigration requirements imposed upon him, including regular check-ins with ICE. He has maintained a stable residence and has been an active member of his community for over four years.
25. Petitioner’s two minor children, ages 12 and 11, depend on him for financial and emotional support. His continued detention causes severe hardship to his family.

C. Re-Detention and Current Custody

26. On February 18, 2026, Petitioner appeared for a routine check-in at the ICE Philadelphia Field Office, as he had done on numerous prior occasions in compliance with the conditions of his release.
27. Upon his arrival at the check-in, ICE officers detained Petitioner. He was taken into custody and transferred to FDC Philadelphia, 700 Arch Street, Philadelphia, Pennsylvania 19106, where he remains detained as of the filing of this Petition.
28. Upon information and belief, the Government is classifying Petitioner under 8 U.S.C. § 1225(b)(2)(A) and denying him any opportunity for a bond hearing before an Immigration Judge, consistent with the DHS July 8, 2025 policy directive and the BIA's decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado*.
29. Petitioner's detention is particularly unjust because he was previously released by the Government itself, has complied with all conditions of release for over four years, and was re-detained only when he appeared in good faith for a routine check-in. The Government's action punishes Petitioner for his compliance.

CLAIMS FOR RELIEF

COUNT ONE

Violation of the Due Process Clause of the Fifth Amendment

30. Petitioner incorporates all preceding paragraphs as though fully set forth herein.
31. The Due Process Clause of the Fifth Amendment prohibits the Government from depriving any person of liberty without due process of law. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001) (“[T]he Due Process Clause applies to all ‘persons’ within the United States,

including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.”).

32. Under the *Mathews v. Eldridge* balancing test, 424 U.S. 319, 335 (1976), all three factors weigh in Petitioner’s favor:

(a) Petitioner’s private interest is “the most elemental of liberty interests—the interest in being free from physical detention by one’s own government.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004).

(b) The risk of erroneous deprivation is acute because Petitioner has been denied any individualized hearing to determine whether his detention is justified.

(c) The Government’s interest is minimal because Petitioner has no criminal record, has complied with all immigration requirements for over four years, and poses no demonstrated flight risk or danger to the community.

COUNT TWO

Violation of 8 U.S.C. § 1226(a)

33. Petitioner incorporates all preceding paragraphs as though fully set forth herein.

34. Section 1225(b)(2)(A) does not apply to Petitioner. That provision governs the detention of noncitizens who are “applicants for admission”—a term that means individuals physically presenting themselves at the border for inspection. *Jennings*, 583 U.S. at 289. Petitioner has been residing in the United States for over four years and is no longer “seeking admission” within the meaning of the statute.

35. The correct statutory authority governing Petitioner’s detention is 8 U.S.C. § 1226(a), which provides for discretionary detention with bond eligibility. The Government’s refusal to afford Petitioner a bond hearing violates the INA.

COUNT THREE

Violation of Federal Regulations, 8 C.F.R. §§ 236.1, 1236.1, 1003.19

36. Petitioner incorporates all preceding paragraphs as though fully set forth herein.
37. In 1997, the agencies promulgated regulations explicitly providing that noncitizens who entered without inspection “will be eligible for bond and bond redetermination” under § 1226(a). 62 Fed. Reg. 10,323, 10,331 (Mar. 6, 1997). These regulations remain in effect and have never been rescinded.
38. The Government’s current policy of denying bond to noncitizens like Petitioner directly contradicts these binding regulations and is therefore unlawful.

COUNT FOUR

Violation of the Administrative Procedure Act, 5 U.S.C. § 701 et seq.

39. Petitioner incorporates all preceding paragraphs as though fully set forth herein.
40. The BIA’s decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado*, and the DHS July 8, 2025 policy directive based thereon, are “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law” within the meaning of 5 U.S.C. § 706(2)(A). The BIA’s interpretation of § 1225(b)(2)(A) is contrary to the plain text and structure of the INA, contradicts the agencies’ own longstanding regulations, and has been rejected by hundreds of federal district courts.
41. Under *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 413 (2024), courts must exercise independent judgment and “ensur[e] that the agency acts within” its delegated authority. The BIA has exceeded its statutory authority.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Aslanbek Baskaev respectfully requests that this Court:

- a. Issue a Writ of Habeas Corpus ordering Petitioner's immediate release from detention on his own recognizance, parole, bond, or other appropriate conditions of supervision;
- b. Declare that Petitioner's detention under 8 U.S.C. § 1225(b)(2)(A) is unauthorized by statute and unconstitutional;
- c. Declare that Petitioner is subject to detention, if at all, under 8 U.S.C. § 1226(a) and is entitled to a bond hearing before an Immigration Judge;
- d. Order Respondents to provide Petitioner with a constitutionally adequate bond hearing at which the Government bears the burden of justifying continued detention by clear and convincing evidence, with consideration of Petitioner's ability to pay;
- e. Set aside the BIA's decisions in Matter of Q. Li, 29 I&N Dec. 66 (BIA 2025), and Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025), as contrary to law under 5 U.S.C. § 706(2);
- f. Award Petitioner costs and reasonable attorneys' fees; and
- g. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/JONATHAN J. SOBEL, ESQUIRE

Attorney I.D. No. 76428
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
215 735 7535
215 735 7539
Mate89@aol.com

Attorney for Petitioner

LIST OF EXHIBITS

Exhibit A: BOP Inmate Locator Printout Confirming Detention at FDC Philadelphia

Exhibit B: Notice to Appear (NTA), dated December 24, 2021

Exhibit C: Form I-589, Application for Asylum

Exhibit D: Employment Authorization Document(s)

Exhibit E: Birth Certificates of Minor Children

Exhibit F: Federal Income Tax Returns (2023 and 2024)

Exhibit G: Declaration of Petitioner

Exhibit H: Declaration of Tamara Baskaeva (Spouse) Regarding Hardship

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASLANBEK BASKAEV,

Petitioner,

v.

J.L. JAMISON, et al.,

Respondents.

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Civil Action No. _____

CERTIFICATE OF SERVICE

I, Jonathan J. Sobel, Esquire, attorney for the Petitioner, Aslanbek Baskaev, hereby certify that on this 19th day of February 2026, I served a true and correct copy of the following document by electronic filing via the Court's CM/ECF system and by United States Postal Service first-class mail, postage prepaid, upon the parties named below:

**PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241**

Served upon:

J.L. Jamison, Warden

Federal Detention Center, Philadelphia
700 Arch Street
Philadelphia, PA 19106

David O'Neill, Acting Field Office Director

ICE ERO Philadelphia Field Office
1600 Callowhill Street
Philadelphia, PA 19130

Todd Lyons, Acting Director

U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, DC 20536

Kristi Noem, Secretary

U.S. Department of Homeland Security
245 Murray Lane
Washington, DC 20528

U.S. Department of Homeland Security

245 Murray Lane
Washington, DC 20528

Pamela Bondi, Attorney General

U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

U.S. Attorney's Office, Eastern District of PA

615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

Via ECF electronic filing and email to:

desiree.wilkins@usdoj.gov
anthony.stjoseph@usdoj.gov
susan.becker@usdoj.gov
gregory.david@usdoj.gov

/s/JONATHAN J. SOBEL, ESQUIRE

Attorney I.D. No. 76428
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
215 735 7535
215 735 7539
Mate89@aol.com

Attorney for Petitioner

EXHIBIT A

**BOP Inmate Locator Printout
Confirming Detention at FDC Philadelphia**



Report Crimes: Email or Call 1-866-DHS-2-ICE

[Home](#)[Who We Are](#)[What We Do](#)[Newsroom](#)[Information Library](#)[Contact ICE](#)[< BACK TO RESULTS](#)

Facility Page

Detention Information For:

ASLANBEK BASKAEV**Country of Birth:** Russia**A-Number:**

Current Detention Facility:

Philadelphia Federal Detention Center

700 Arch Street

NA

Philadelphia, PA 19106

Visitor Information: (215) 521-4000[MORE INFORMATION >](#)

ERO Office Information

Family members and legal representatives may be able to obtain additional information about this individual's case by contacting this ERO office:

PHILADELPHIA, PA, DOCKET CONTROL
OFFICE

Phone Number: (215) 656-7164

[BACK TO SEARCH >](#)

Related Information

Helpful Info

Status of a Case

About the Detainee Locator

Brochure

ICE ERO Field Offices

ICE Detention Facilities

[Privacy Notice](#)

External Links

[Bureau of Prisons Inmate Locator](#)



[DHS.gov](#)[USA.gov](#) [OIG](#) [Open FOIA Metrics](#) [No Site](#) [Site Policies & Plug-Ins](#)
[Gov](#) [Fear](#) [Map](#)
[Act](#)

EXHIBIT B

**Notice to Appear
Dated December 24, 2021**

**DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR**

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

Event No: [REDACTED]

Subject ID: [REDACTED]

SIGMA Event: [REDACTED]

File No: [REDACTED]

In the Matter of [REDACTED]

Respondent: BASKAEV, Aslanbek

currently residing at:

(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 Russia and a citizen of Russia;
3. On or about December 23, 2021, you applied for admission into the United States from Mexico at the Otay Mesa Port of Entry;
4. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document as required by the Immigration and Nationality Act.

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:

See Continuation Page Made a Part Hereof

☐ 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:
970 Broad Street, Room 1200, 12th Floor,
Newark, NJ, US 07102

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set to show why you should not be removed from the United States based on the
(Date) (Time) BAYARDO, CAR29877

charge(s) set forth above.

CBP OFFICER

(Signature and Title of Issuing Officer) (Sign in ink)

Date: December 24, 2021

SAN YSIDRO, CALIFORNIA

(City and State)

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 1-589, Application for Asylum and for Withholding of Removal. The Form 1-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form 1-589 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:

(Signature of Respondent) (Sign in ink)

Date: December 24, 2021

(Signature and Title of Immigration Officer) (Sign in ink)

Certificate of Service

This Notice To Appear was served on the respondent by me on December 24, 2021, in the following manner and in compliance with section 239(a)(1) of the Act.

- ☒ 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 RUSSIAN 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.

X 520
(Signature of Respondent if Personally Served) (Sign in ink)

BAYARDO, CAR29877
CBP OFFICER

(Signature and Title of officer) (Sign in ink)

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 OHS 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-sorn>. 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 OHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

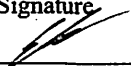
For all others, as appropriate under United States law and OHS policy, the information you provide may be shared internally within OHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, 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.

U.S. Department of Homeland Security

Continuation Page for Form 1862

Alien's Name BASKAEV, ASLANBEK	File Number SIGMA Ev Event No	Date December 24, 2021
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) (7) (A) (i) (I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.		
Signature  BAYARDO, CAR29877	Title CBP OFFICER	

4 of 4 Pages

EXHIBIT C

**Form I-589 Receipt Notice
Application for Asylum and Withholding of Removal**

EXHIBIT D

Employment Authorization Document

EXHIBIT F

**Federal Income Tax Returns
2023 and 2024**