

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

D.A.G.H.;	)	
Petitioner,	)	
	)	CASE NO.:
vs.	)	
	)	
LADEON FRANCIS, <i>ICE Atlanta</i>	)	
<i>Field Office Director; and</i>	)	
TODD LYONS, <i>in his official capacity as Acting</i>	)	
<i>Director of Immigration and Customs</i>	)	
<i>Enforcement; and</i>	)	
KRISTI NOEM, <i>Secretary of Homeland Security</i>)	)	
And PAMELA BONDI, <i>U.S. Attorney General.</i>	)	
	)	
Respondent.	)	
_____	)	

**PETITIONER'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND/OR PRELIMINARY INJUNCTION**

Petitioner seeks an immediate order due to his detention today at the ICE offices at 180 Ted Turner Dr. SW, Atlanta, GA, and imminent removal from the United States, and to preserve this Court's jurisdiction.

COMES NOW Petitioner, D.A.G.H., by and through counsel, and files this Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction. Petitioner requests that the Court issue a Temporary Restraining Order and/or Preliminary Injunction, including on an ex parte basis if necessary, pursuant to Fed. R. Civ. P. 65 in order to prevent irreparable injury, preserve the

Court's ability to render a meaningful decision on the merits of his habeas petition, and ensure that an effective remedy remains available. This anti-transfer relief is also authorized by the All Writs Act, 28 U.S.C. § 1651(a), because transferring or removing Petitioner would frustrate and potentially defeat this Court's habeas jurisdiction and render any eventual judgment ineffectual.

Petitioner seeks immediate judicial intervention because ICE has detained him at the ICE offices at 180 Ted Turner Dr. SW, Atlanta, GA, a pre-removal staging site, placing him at imminent risk of removal from the United States. This motion asks the Court to stay his removal to his native country or any third country, to prevent Respondents from further altering his custodial status or supervision conditions, and to restore him to the status quo ante—his long-standing release under an Order of Supervision ("OSUP")—while the Court adjudicates his claims. Given the speed with which ICE can effectuate removal from the United States, Petitioner respectfully requests that the Court consider and, if appropriate, grant immediate ex parte relief staying his removal and transfers pending a prompt hearing with notice to Respondents.

Petitioner faces imminent and irreparable harm absent injunctive relief, including deprivation of liberty, permanent separation from his family, loss of employment eligibility, deterioration of health, and frustration of his reliance interests. He also faces the distinct and irreparable harm of being summarily

removed either to his country of birth or to a third country without the notice, fear-screening, and Immigration Judge review that due process requires in this posture, thereby mooted his habeas petition and foreclosing effective judicial review.

Petitioner D.A.G.H. is a noncitizen who has resided in the United States for many years and has established substantial family and community ties in this country. In 2018, an Immigration Judge ordered him, and he was detained for approximately nine months in connection with that order. After his release, Petitioner remained in the community and complied fully with all reporting obligations imposed by U.S. Immigration and Customs Enforcement ("ICE"). Over the years, he consistently appeared for scheduled check-ins and has no criminal record. His circumstances have materially changed since the 2018 removal order: he is the beneficiary of a pending U visa petition and has been granted deferred action based on that application, reflecting the government's determination that he merits humanitarian protection and is not an enforcement priority.

At a recent scheduled reporting appointment at the ICE field office located at 180 Ted Turner Dr. SW in Atlanta, Petitioner presented documentation evidencing his bona fide U visa determination and deferred action. Although he was initially permitted to leave with instructions to return due to an alleged paperwork correction, ICE later directed him to come back to the office. When he

complied and returned as instructed, officers detained him without any intervening violation, changed circumstance, or lawful finding justifying custody. He was fingerprinted, no criminal history was identified, and yet ICE refused to release him.

Petitioner now remains detained at the Atlanta ICE field office solely as a result of this arbitrary enforcement action. Despite years of full compliance, the absence of any criminal conduct, and the government's own grant of deferred action tied to his pending U visa, ICE has placed him in post-order custody and subjected him to the threat of imminent removal. This detention exceeds the lawful bounds of post-order authority under 8 U.S.C. § 1231, disregards the legal significance of his bona fide U visa determination and deferred action, and violates the Due Process Clause of the Fifth Amendment. Petitioner faces ongoing deprivation of liberty, separation from his family, and irreparable harm absent immediate judicial intervention.

Jurisdiction under 28 U.S.C. § 2241(a) is fixed at the time of filing. He filed in the district of confinement and named his immediate custodian, Ladeon Francis, thereby satisfying the "within their respective jurisdictions" requirement and the immediate-custodian rule. Subsequent transfers cannot defeat this Court's authority or insulate his unlawful detention from review.

In addition to challenging the unlawful revocation of his OSUP and his resulting detention, Petitioner seeks to prevent Respondents from removing him either to his native country or to any third country without the basic due-process protections that attach to third-country removal in this posture. As set out more fully in his accompanying memorandum, Petitioner contends that if DHS designates any third country for his removal, due process requires, at a minimum: (1) written notice identifying the proposed country of removal and the factual basis for that designation; (2) a meaningful opportunity to present a fear-of-persecution or torture claim specific to that country; and (3) review by an Immigration Judge of any negative fear determination before DHS may effectuate removal. Furthermore, DHS may not effectuate removal during the period of his Deferred Action. Without a TRO, ICE could remove him from the United States—potentially to a country where he faces persecution, torture, or chain refoulement—before this Court can review the legality of those procedures.

Because no administrative remedy exists to force Respondents to release Petitioner and return him to the situation of the status quo ante, under his prior OSUP before it was unlawfully revoked, judicial intervention is necessary to prevent irreparable harm. If unrestrained, Respondents will insulate their unlawful actions from judicial review, leaving Petitioner confined indefinitely

without a lawful basis to revoke his OSUP and at risk of sudden removal, unable to work or care for his family, and without any adequate remedy at law.

ICE/DHS have already violated Petitioner's constitutional and regulatory rights by unilaterally cancelling and revoking his OSUP and re-detaining him. There is no remedy at law that can adequately compensate him for the consequences of this re-detention, including separation from his wife and children, deterioration of his physical and mental health, loss of employment eligibility, and interference with his ability to live a stable life in the community. Every day that Petitioner remains detained causes irreparable harm, deprives him of liberty in violation of the Constitution, and frustrates the statutory and regulatory framework that governs supervision and revocation of an OSUP.

Through this Motion, Petitioner seeks his immediate release and restoration to the status quo ante before his OSUP was unlawfully revoked, and a temporary bar on his removal to any third country absent the process described above, while this Court considers the merits of his habeas petition.

Immediate injunctive relief is essential because Petitioner has a substantial likelihood of success on the merits; he will suffer irreparable harm in the absence of relief; there is no adequate remedy at law; the balance of hardships favors him; and the requested injunctive relief will not harm the public interest. The facts and legal arguments supporting this motion are set forth in detail in Petitioner's

Memorandum of Authorities in Support of Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction filed contemporaneously herewith.

Grounds for Relief / Summary of Merits

Petitioner is likely to succeed on the following several independent reasons:

(1) Ultra Vires Agency Action.

8 U.S.C. § 1231(a)(3) provides that once the 90-day removal period has expired, a noncitizen “shall be subject to supervision” under regulations prescribed by the Attorney General. 8 U.S.C. § 1231(a)(3). Section 1231(a)(6) permits detention beyond the removal period only for limited categories of noncitizens—those who are inadmissible under § 1182, removable on specified criminal or security grounds, or “determined by the Attorney General to be a risk to the community or unlikely to comply with the order of removal.” 8 U.S.C. § 1231(a)(6).

The post-order custody regulations, however, purport to authorize revocation of supervised release and re-detention on broader grounds than those enumerated in § 1231(a)(6), including that “the purposes of release have been served,” that “it is appropriate to enforce a removal order,” or that “the conduct of the alien, or any other circumstance, indicates that release would no longer be appropriate.” 8 C.F.R. § 241.4(l)(2); see also 8 C.F.R. § 241.13(i)(2).

(permitting revocation for “changed circumstances” suggesting a significant likelihood of removal in the reasonably foreseeable future). Courts have questioned whether those regulatory bases exceed the narrow detention authority Congress conferred in § 1231(a)(6), which is limited to risk-of-flight, danger-to-community, and certain specified removal grounds. See *You v. Nielsen*, 321 F. Supp. 3d 451, 463 (S.D.N.Y. 2018) (noting that “[r]egulations cannot circumvent the plain text of the statute” and comparing § 241.4(l)(2) with the narrower text of § 1231(a)(6)).

Here, the record reflects no individualized finding that D.A.G.H. has become a danger to the community or unlikely to comply with his order of removal. To the contrary, ICE’s decade-long decision to release him under OSUP and repeatedly renew his employment authorization confirms that, in the agency’s own judgment, he posed neither danger nor flight risk, and nothing has changed since. The minor local charge that precipitated his arrest was dismissed and expunged, and ICE has not identified any new statutory removal ground. Revoking his OSUP and re-detaining him solely to “enforce a removal order” or based on an internal policy shift is therefore ultra vires of § 1231(a)(6) and likely to be set aside. See *Alam v. Nielsen*, 312 F. Supp. 3d 574, 580–81 (S.D. Tex. 2018) (holding that detention following cancellation of an OSUP years after a final order is detention “beyond the removal period” and governed by § 1231(a)(6), not a new 90-day clock).

8 U.S.C. § 1231(a)(6) provides that a non-citizen may only be detained past the 90-day removal period following a removal order if found to be “a risk to the community or unlikely to comply with the order of removal” or if the order of removal was on specified grounds not relevant here. However, regulations purport to give additional reasons, beyond those listed at § 1231(a)(6), that an order of supervision may be revoked and a non-citizen may be re-detained past the removal period: “(1) the purposes of release have been served; (2) the alien violates any condition of release; (3) it is appropriate to enforce a removal order . . . ; or (4) the conduct of the alien, or any other circumstance, indicates that release would no longer be appropriate.” 8 C.F.R. § 241.4(l)(2); *see also id.* § 241.13(i) (permitting revocation of an order of supervision only if a non-citizen “violates any of the conditions of release”).

Because “[r]egulations cannot circumvent the plain text of the statute[,]” courts question whether these regulations are ultra vires of statutory authority. *See, e.g., You v. Nielsen*, 321 F. Supp. 3d 451, 463 (S.D.N.Y. 2018) (comparing regulations to 8 U.S.C. § 1231(a)(6), which authorizes detention past the removal period only if person is a risk to the community, unlikely to comply with the order of removal, or was ordered removed on specified grounds).

Additionally, regulations permit only certain officials to revoke an order of supervision: the ICE Executive Associate Director, a field office director, or

an official “delegated the function or authority . . . for a particular geographic district, region, or area.” *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 161 (W.D.N.Y. 2025).

As courts have recognized, “Agency actions beyond delegated authority are ‘ultra vires,’ and courts must invalidate them.” *U.S. ex rel. O’Keefe v. McDonnell Douglas Corp.*, 132 F.3d 1252, 1257 (8th Cir. 1998); *see also Romero v. INS*, 39 F.3d 977, 980 (9th Cir. 1994) (holding that an immigration regulation that is inconsistent with the statutory scheme is invalid).

(2) Due Process Violations.

The Due Process Clause protects all persons in the United States, including noncitizens, from deprivation of liberty without due process of law. *Zadvydas v. Davis*, 533 U.S. 678, 690–93 (2001). Freedom from physical detention is “the most elemental of liberty interests.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004).

Procedural due process requires that, before a long-settled grant of supervised release is revoked, the government provide notice of the reasons and a meaningful opportunity to be heard before a neutral decisionmaker. *Mathews v. Eldridge*, 424 U.S. 319, 332–35 (1976). The post-order regulations embody this requirement: upon revocation of supervised release, ICE “will” notify the noncitizen of the reasons for revocation and “will conduct an initial informal interview promptly after his or her return to Service custody to afford

the alien an opportunity to respond to the reasons for revocation stated in the notification.” 8 C.F.R. §§ 241.4(l)(1), 241.13(i)(3).

Courts have held that revoking an OSUP and re-detaining a noncitizen without providing the required notice and interview violates due process. See *Ahmad v. Whitaker*, No. C18-287-JLR-BAT, 2019 WL 95571 (W.D. Wash. Dec. 4, 2018) (describing §§ 241.4 and 241.13 as mandatory procedures governing revocation and finding habeas jurisdiction to review revocation of OSUP and continued detention); *Rombot v. Souza*, 296 F. Supp. 3d 383, 387–89 (D. Mass. 2017) (ordering release where ICE relied on the wrong regulation, used an official of questionable authority, and failed to provide the notice, informal interview, and timely custody review required by §§ 241.4 and 241.13). The Northern District of Georgia likewise recognized that challenges to the revocation of an OSUP and resulting detention are cognizable habeas claims attacking unlawful detention, not unreviewable execution of a removal order, and emphasized the mandatory nature of the revocation procedures. See *Ferrari Rivera v. Wilcox*, No. C19-385-RSM-BAT, 2019 WL 13209736 (W.D. Wash. Sept. 24, 2019).

D.A.G.H. received none of these safeguards. ICE seized him at the check-in, provided no advance notice or meaningful explanation, and afforded no prompt interview at which he could explain that the underlying local charge had been dismissed and expunged and that he remained fully compliant with

his OSUP. The *Mathews* factors strongly favor him: his liberty interest is weighty; the risk of erroneous deprivation is high where revocation is accomplished by ambush and without a neutral decisionmaker; and the government's interest in skipping procedures it has already committed to follow is minimal. See *You*, 321 F. Supp. 3d at 466–67 (finding a likelihood of success on due process claim where ICE detained a long-standing parolee without following § 241.4 procedures and without an individualized flight-risk or danger finding).

Substantively, detention is constitutional only if it serves a legitimate, nonpunitive objective, such as preventing flight or protecting the public. *Zadvydas*, 533 U.S. at 690–92. Where, as here, ICE has already determined for almost a decade that the individual is neither a danger nor a flight risk and his removal is not reasonably foreseeable because of a standing U Visa Petition Process, detention becomes excessive and punitive rather than regulatory. See *Silva v. Moniz*, No. 20-cv-12255-DJC, 2021 WL 2941983, at *4–6 (D. Mass. July 14, 2021) (applying *Zadvydas* and holding continued detention unreasonable where removal was foreseeable only if petitioner's own stay were lifted and appeal denied). D.A.G.H. is therefore likely to prevail on his Fifth Amendment due-process challenge to his re-detention.

(3) INA and Implementing Regulations Violations

The INA and implementing regulations establish a carefully reticulated

framework for supervision and detention after a final removal order. As Ahmad explains, § 1231(a) mandates detention during the 90-day removal period, after which DHS must either release the person under an order of supervision (§ 1231(a)(3)) or continue detention under § 1231(a)(6) for specified categories, subject to regulatory custody reviews. The regulations in 8 C.F.R. §§ 241.4 and 241.13 govern both ongoing detention and revocation of release, requiring timely post-order custody reviews, written reasons, and an opportunity to respond.

In *Rombot*, the court found that ICE's reliance on the wrong regulation and failure to follow § 241.4's procedures in revoking an OSUP rendered the revocation unlawful and required the petitioner's release. 296 F. Supp. 3d at 387–89. Similarly, *Alam* rejected ICE's contention that the removal period restarted each time it cancelled an OSUP and re-detained the petitioner years after a final order, holding instead that such detention was “beyond the removal period” and governed by § 1231(a)(6) and § 241.4, including their custody-review requirements. 312 F. Supp. 3d at 580–81.

D.A.G.H.'s removal period expired years ago, and his current detention is plainly “beyond the removal period” within the meaning of § 1231(a)(6). Yet ICE has not shown that his detention satisfies § 1231(a)(6)'s narrow grounds or that it conducted the required post-order custody reviews before or after revoking his OSUP. Nor has ICE complied with the revocation procedures in

§§ 241.4(l) and 241.13(i). These statutory and regulatory violations independently support a finding of likelihood of success.

(4) Administrative Procedure Act (APA) Violations.

For the same reasons, D.A.G.H. is likely to prevail on his APA claims that the revocation of his OSUP and his continued detention are “not in accordance with law,” “contrary to constitutional right,” and “in excess of statutory jurisdiction, authority, or limitations.” 5 U.S.C. § 706(2)(A), (B), (C). The decisions in *Ahmad*, *Rombot*, and *Alam* all treat ICE’s disregard of the § 241.4/§ 241.13 framework as unlawful agency action subject to habeas and APA review.

The APA requires courts to set aside agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. 5 U.S.C. § 706(2)(A). Agency action is arbitrary and capricious if it “runs counter to the evidence before the agency,” “failed to consider important aspects of the problem,” or disregards reliance interests. *Motor Vehicle Mfrs. Ass’n v. State Farm Mut. Auto. Ins.*, 463 U.S. 29, 43 (1983); *Dep’t of Homeland Sec. v. Regents of the Univ. of California*, 591 U.S. 1, 25 (2020).

ICE’s decision to revoke Petitioner’s OSUP and detain him was arbitrary and capricious because it ignored his long history of compliance, failed to consider less restrictive alternatives, and disregarded the reliance interests created by his almost decade-long release under supervision. The agency did

not provide a reasoned explanation for its decision, did not make individualized findings, and failed to follow its own regulations.

Furthermore, the APA also requires courts to set aside agency action that is “not in accordance with law” or “in excess of statutory jurisdiction, authority, or limitations.” 5 U.S.C. § 706(2)(A), (C). ICE’s revocation of Petitioner’s OSUP was contrary to the INA, implementing regulations, and constitutional due process requirements. The action was also in excess of statutory authority, as the responsible official lacked the power to revoke supervised release and did not comply with the procedural safeguards required by law. Agency regulations permit only certain officials to revoke an order of supervision: the ICE Executive Associate Director, a field office director, or an official “delegated the function or authority . . . for a particular geographic district, region, or area.” *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 161 (W.D.N.Y. 2025) (citing 8 C.F.R. §§ 1.2, 241.4(l)(2) and explaining that the Homeland Security Act of 2002 renamed the position titles listed in § 241.4). If the field office director or a delegated official intend to revoke an order of supervision, they must first make findings that “revocation is in the public interest and circumstances do not reasonably permit referral of the case to the Executive Associate [Director].” 8 C.F.R. § 241.4(l)(2). And for a delegated official to have authority to revoke an order of supervision, the delegation order must explicitly say so. See *Ceesay v. Kurzdorfer*, 781 F. Supp. 3d 137, 161

(finding a delegation order that “refers only to a limited set of powers under part 241 that do not include the power to revoke release” insufficient to grant authority to revoke an order of supervision.

(5) *Accardi* and regulatory violations.

Under the *Accardi* doctrine, agencies must follow their own procedures, rules, and instructions. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974). ICE violated its own regulations and instructions by revoking Petitioner’s OSUP without proper authority, without notice, and without affording Petitioner an opportunity to prepare for an orderly departure as required by Petitioner’s release notification. Courts have repeatedly ordered the release of noncitizens where ICE failed to follow its own rules in revoking supervised release. *Sun v. Noem*, No. 3:25-cv-02433, 2025 WL 2800037, at *3 (S.D. Cal. Sept. 30, 2025); *Rokhfirooz v. Larose*, No. 25-cv-2053, 2025 WL 2646165 (S.D. Cal. Sept. 15, 2025); *Sarail A. v. Bondi*, No. 25-cv-2144, 2025 WL 2533673 (D. Minn. Sept. 3, 2025); *Zhu v. Genalo*, No. 1:25-cv-06523, 2025 WL 2452352 (S.D.N.Y. Aug. 26, 2025); *Roble v. Bondi*, No. 25-cv-3196, 2025 WL 2443453 (D. Minn. Aug. 25, 2025); *M.S.L. v. Bostock*, No. 6:25-cv-01204, 2025 WL 2430267 (D. Or. Aug. 21, 2025); *Phan v. Beccerra*, No. 2:25-CV-01757, 2025 WL 1993735, at *3–5 (E.D. Cal. July 16, 2025); *Liu v. Carter*, No. 25-3036, 2025 WL 1696526 (D. Kan. June 17, 2025); *Cesay*, 781 F. Supp. 3d at 162; *Rombot*, 296 F. Supp. 3d at 389.

(6) Due process limits on third-country removal.

Separate and apart from his OSUP and detention claims, Petitioner is likely to succeed on his claim that DHS may not remove him to any third country without first providing basic third-country due-process protections: written notice identifying the proposed country of removal and the factual/legal basis for that designation, a meaningful fear-of-persecution/torture screening as to that country, and Immigration Judge review of any negative fear determination before removal may proceed.

The statutory backdrop is 8 U.S.C. § 1231(b)(2), which permits DHS, after entry of a final removal order, to designate and remove a noncitizen to an alternative country according to a specified hierarchy. At the same time, § 1231(b)(3) and the Convention Against Torture bar removal to any country where the individual's life or freedom would be threatened or where he is more likely than not to be tortured, and implementing regulations treat withholding and CAT protection as country-specific. 8 C.F.R. §§ 1208.16–1208.18.

Several district courts addressing analogous third-country scenarios have likewise applied the *Mathews* balancing test and emphasized the weighty private interest (avoiding persecution or torture in any country of removal), the high risk of erroneous deprivation if removal turns on a single, unreviewed decision by an asylum officer, and the modest incremental burden of IJ review given that DHS already provides such review for negative credible- and

reasonable-fear determinations. See *Doe v. Becerra*, 23-cv-00072-BLF, 2023 WL 180000, at *8–13 (N.D. Cal. Jan. 17, 2023) (analyzing a due-process challenge to third-country removal procedures under *Mathews*).

More recently, the District of Massachusetts certified a nationwide class and enjoined DHS from removing noncitizens with final orders to third countries not previously designated in their removal proceedings unless DHS first provided written notice of the proposed third country, a meaningful opportunity to raise a Convention Against Torture claim as to that country, and time to seek reopening in immigration court. See *D.V.D. v. DHS*, Civ. No. 25-10676 (D. Mass.), class certification and preliminary-injunction order summarized in *I.V.I. v. Baker*, Civ. No. JKB-25-1572 (D. Md. May 27, 2025). Although the Supreme Court has since stayed portions of that nationwide relief, the underlying due-process reasoning—that DHS cannot change the deportation country on the eve of removal and deny any meaningful opportunity to raise a country-specific CAT claim—remains highly persuasive. See *DHS v. D.V.D.*, 606 U.S. ___, ___ (2025) (Sotomayor, J., dissenting from stay) (describing DHS’s policy of switching deportation countries without notice or a meaningful CAT process and the grave risks of removal to those third countries).

D.A.G.H.’s posture is materially similar. He has a final removal order with U Visa Petition process; DHS has not identified any alternative country

willing to accept him; and his transfer to an ICE's detention center facility indicates that ICE may seek to designate a third country at the last minute and remove him without the notice, fear-screening, and IJ review that due process requires. On this record, he is likely to succeed on his claim that any third-country removal without those protections would violate the Fifth Amendment.

WHEREFORE, for the reasons set forth in the accompanying brief, Petitioner respectfully prays that the Court grant his Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction through which he requests the Court issue the following orders:

1. Issue an immediate temporary restraining order, on an ex parte basis if necessary, enjoining Respondents from removing Petitioner from the district or the United States during the pendency of this action, or taking any action that would defeat or frustrate this Court's jurisdiction over the matter, including any attempt to remove Petitioner from the United States while his current grant of deferred action based on his pending U-visa petition remains in force;
2. Set this case for an emergency hearing on the instant Motion;

3. Release Petitioner temporarily under reasonable terms of supervision and Enjoin Respondents from detaining Petitioner during the pendency of this habeas action;
4. Restore and reinstate Petitioner's OSUP that was unlawfully and unilaterally revoked, under the same or substantially similar conditions that were in effect prior to February 26, 2026. This relief shall include an express prohibition on executing Petitioner's removal order while his current grant of deferred action tied to his pending U-visa petition remains valid;
5. Enjoin Respondents from altering the conditions of Petitioner's OSUP without due process and compliance with all applicable regulations;
6. Enjoin Respondents from altering the conditions of Petitioner's OSUP in the future absent compliance with constitutional protections, which include, at a minimum, strict compliance with the requirements of 8 C.F.R. § 241.4 and § 241.13, including advance written notice of the reasons for any proposed revocation or modification and a meaningful opportunity to be heard; and
7. Grant any such further relief as the Court deems equitable and just.

Respectfully Submitted,

This 26th day of February, 2026.

/s/ Karen Weinstock

Karen Weinstock

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CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rules 5.1 and 7.1(D), that the filing(s) filed herewith have been prepared using Book Antiqua, 13-point font.

/s/ Karen Weinstock

Karen Weinstock

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CERTIFICATE OF SERVICE

I certify that on February 26, 2026, I electronically filed the foregoing Document with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

/s/ Karen Weinstock

Karen Weinstock

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