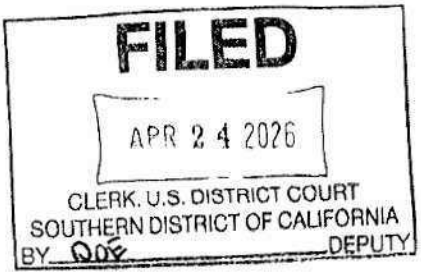
Pavel A[redacted] V[redacted]
Imperial Regional Detention Facility
1572 Gateway Road,
Calexico, CA 92331

Detained



United States Disctrict Court
Southern Disctrict of California

In the Matter of:

Pavel A[redacted] V[redacted]
[redacted]

Petitioner,

Case No.: 3:26-cv-01495-BTM-BLM

v.

Warden, Imperial Regional Detention Center; Current or Acting Field Office Director, Enforcement and Removal Operations, Immigration and Customs Enforcement; Current or Acting Director, Immigration and Customs Enforcement; Current or Acting Sercretary, Department of Homeland Security; Current or Acting Attorney General, Department of Justice

Respondents.

Letter in Support of the Petition for the Writ of Habeas Corpus

FROM: Pavel A[redacted] V[redacted] Case# 3:26-cv-01495-BTM-BLM

TO: U.S. Disctrict Court,
333 W Broadway, Suite 420
San Diego, CA

RE: Pavel A[redacted] V[redacted]

DATE: 04/21/2026

Honorable Court,

I had first entered the United States in 2018 on a F1 visa through a legal port of entry with inspection. I came here tu pursue a Bachelor's Degree at Brigham Young University – Idaho. I have later left the country, and returned again in 2019, and left again and entered again in 2020 on another F1 student visa. All three time I had enetered the country with inspection by legal means. Within the first year of my last entry into the country I had filed my application with USCIS for Asylum and, via form I-797, had received exressed authorization from DHS USCIS to remain in the country until the asylum application is decided. My student visa was terminated because I did not enroll in 12 credits during the Fall 2020 semester, yet my asylum application has been received at the same time. My departure from the country from then on could imply that I am withdrawing my asylum application (it could also imply that my application was filed frivolously), and for this reason I had continously remained in the country, awaiting USCIS notification to invite me to an interview. I completed the scheduled Biometrics appointment and have timely applied for and was approved work authorization cards. I had informed the USCIS of every change of address and have regularly checked the USCIS online portal for any updates on my case – no updates have been made.

In October 2025 I was pulled over by the the Salt Lake City Police for an expired license plate. That day I was buying the car from an aquiantance of mine and was taking it for a test-drive. When the police identified that the car was not mine they ordered impound and searched the vehicle and during that search have discovered approx. 1 oz of controlled substance on the passenger seat of the car. I was then apprehended on the charges of Possession of controlled substance with Intent to sell, possession, and DUI. This is the first time that such charges have been levied against me and are not characteristic of my person and are not consistent with my pattern of behaviour in the past. The Salt Lake County Jail has ordered my release within 24 hours on a $0 bail not deeming me a danger to the community or a flight risk, but ICE has placed a detainer on me and had assumed custody over me upon release from jail. I was given a Notice to Appear, which contained the charges of overstaying my visa without a prior authorization from DHS (which is not accurate, as explained above), and was placed in custody first at the Florence, Arizona Detention Facility, and later at Imperial Regional Detention Facility, where I remain until this day.

Over the course of my detention I have tried to obtain a bond release, but was denied on the grounds that I failed to meet the burden of proof that I would not be a danger to the community or flight risk. The judge concluded that due to my outstandng charges I present both the danger to the community and a flight risk, and I was unable to obtain bond.

I ask the Court to reconsider this matter and view it in the following light:

I have complied with all immigration law requirements in the past, including obtaining visas, applying for asylum in a timely manner, appearing for the scheduled biometrics appointment, informed the USCIS of changes of address, and obtained work permits, as well as maintained valid

driver's licences and car registrations. Thus, I have never concealed my location and have informed various government agencies of my location throughout my entire stay in the country. Therefore, the argument that I am a flight risk is incosistent with my established pattern and existing document trail. It is within my interests and my intention to attend all the court hearings and to adhere to all procedures necessary for my immigration process. I have demonstrated it in the past and will continue to do so in the future.

My danger to the community was derived from the fact of my previous arrests and pending criminal charges. The judge has taken into consideration my 2 pervious arrests on assault charges and my most recent arrest on the charges of possession and DUI (all 3 arrests happened in 2025, no arrests prior) and has concluded that I am a danger to the community by the virtue of the fact that I have been arrested in the past.

However, what has not been taken into consideration is that the first 2 arrests for the assault charges the jail has released me within 24 hours not deeming me a danger to the community or flight risk, and later charges were dismissed as the person listed as victim of the assaults has recanted the accusations both times (both times it was the same person), reconciliation was reached between both of us and no prosecution followed. The charges were dismissed. The person listed as victim of the assults has supplied a letter in support of my release from immigration custody, and has provided contact information by which they can be contacted to confirm the authenticity of their letter. He confirmed our reconciliation and provided a positive character reference letter for the immigration judge in my support. Both the police records with the dismissal of the case, and the character support letter were supplied to the court during my custody redetermination hearing.

In regard to my outstanding charges for possession and DUI, the judge has concluded that even the fact that those charges were levied against me is proof enough that I present danger and do not qualify for a bond.

Due to my continued custody at the IRDF I was not able to attend the scheduled court hearing for my criminal charges, which was held on January 16, 2026 in Salt Lake City. Despite my attempt to notify the court in writing and in a timely manner that I will not be able to attend the in-person hearing due to my continued custody with ICE, the Court in Salt Lake City has issued a warrant for my arrest for failure to appear. The charges are still pending.

A foundation principle of the American legal system is the presumption of innocense until guilt has been proven by a trial and a decision of the court. However, I was prevented to attend the trial and defend myself in court against those charges – they remain pending. The immigration judge's decision was based on the fact of the pending charges and during my custody redetermination hearing I carried the burden of proof that I would I would not be a danger to the community or a flight risk. With my previous assault charges dismissed and a reconcilliation reached between the parties, my pending DUI and possession charges are the only factors that demonstrate the possibility that I might be a danger to the community, and the only thing that could show that I would not be a danger is a dismissal of my charges after a fair trial, which I was prevented from attending.

Thus, my danger to the community is based on the fact of existing charges, yet I was prevented from attending a trial to resolve those charges.

While I remained in custody ICE has collected my fingerprints to conduct a background check. I have not received the results of that background check in written form, but an ICE representative that regularly visits my unit at the detentioon facility has disclosed to me that the results of that background check have concluded that I would, in fact, NOT be a danger to the

community or a flight risk if I were to be released from custody. I have requested ICE to provide me with the results of that background check, but they only referred me to USCIS records data base. I have requested the background check results from USCIS and my request is still pending. The approximate date for the completion of the request for records is May 5th, but the records with that background check and its conclusion are certainly available to the government at this time.

This background check has only been conducted after my bond hearing. I did not seek appeal of the decision of the judge through BIA regarding my bond hearing at the time because I was not aware of any further evidence that I could provide to dispute that decision.

My history in the U.S. is well-documented, and a paper trail will show that I had entered the country legally with valid visas, maintained an active I-20, filed asylum application in a timely manner, applied for and received work authorization cards, maintain a valid driver's license, reported my changes of address, have been employed legally and reported my employment to the IRS, and throughout that time continued to pursue education at the BYU-I. I have been placed in removal proceedings through an ICE detainer, after the county jail has released me within 24 hours of my arrest not deeming me a danger to the community or a flight risk, and I have not been given a chance to defend myself in court simply due to the fact that I remained in ICE custody the entire time after my release. I was denied bond and ordered to remain in custody due to my outstanding charges, yet I am prevented from resolving those charges due to the fact of my continued custody.

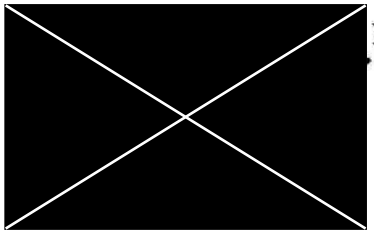
I have had a pending asylum application since 2020 and in March 2025 I was denied asylum by the decision of the Immigration Judge. I am currently pending appeal with the Board of Immigration Appeals and, depending on the outcome, will either seek further appeal through the Ninth Circuit Court of Appeals or will once again present my asylum case to an Immigration Court. This process may take a significant amount of time.

My detention so far has lasted almost 6 months. All the evidence and the documents that I needed to supply to the court in regards to my asylum application has been in my possession at home for all the years that my asylum has been pending, yet due to security protocols of the detention facility, mailing delays and general limited access to communication and information available to me at the detention facility, it took me 4 months to obtain all the documents here from home and file it to the court. If I had remained outside I could have filed all the documents within a week. Furthermore, I have filed the appeal within the alotted timeframe, but the speed with which BIA makes their decision is not up to me, and further appeal to the Ninth Circuit may take years. None of these delays are caused by me, yet all this time I must remain in custody.

I am not trained in the law and cannot afford a lawyer, so I apologize to the Court for any procedural mistakes I might have made with the filing of this petition for the Writ of Habeas Corpus.

Taking all the above into consideration, I respectfully ask the court to redermine my custody and consider alternatives to detention. I implore the Court to look into the fairness of this matter and help me resume my liberty, return to my normal life, resume my studies at the Brigham Young University-Idaho, return to my career path, and address the pending charges that mar my record.

Thank you for your time and consideration.



Pavel A. V[redacted]