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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

MEIRAMBEK SEIDULLA,

Petitioner,

v.


CHRISTOPHER J. LAROSE,
Warden, Otay Mesa Detention Center;
PATRICK DIVVER, Field Office
Director, San Diego Office of
Detention and Removal, U.S.
Immigration and Customs
Enforcement; TODD M. LYONS,
Acting Director, Immigration and
Customs Enforcement; KRISTI
NOEM, Secretary of the Department
of Homeland Security; PAMELA JO
BONDI, Attorney General of the
United States, *in their official
capacities,*

Respondents.

Case No.: '26CV1555 BJC MSB

Expedited Hearing Requested


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

Petitioner Meirambek Seidulla  ("Petitioner"), by and through undersigned
counsel, hereby respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C.
§ 2241, challenging his unlawful detention by the Department of Homeland Security ("DHS") and
U.S. Immigration and Customs Enforcement ("ICE"). Petitioner was apprehended upon his entry

PETITION FOR WRIT OF HABEAS CORPUS AND REQUEST FOR RELEASE FROM DETENTION- 1

1 into the United States, released on an Order of Release on Recognizance under 8 U.S.C. § 1226(a),
2 and fully complied with all conditions of that release. Without any pre-deprivation notice or
3 hearing, ICE summarily revoked his release and re-detained him. He is now confined at the Otay
4 Mesa Detention Center in San Diego, California.

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6 **INTRODUCTION**

- 7 1. Petitioner is a citizen of Kazakhstan who entered the United States at or near Tecate,
8 California on September 15, 2024, without prior inspection. He was immediately
9 apprehended by U.S. Customs and Border Protection (“CBP”), which issued him a Notice
10 to Appear (“NTA”) charging him as inadmissible under INA § 212(a)(6)(A)(i), 8 U.S.C. §
11 1182(a)(6)(A)(i). CBP subsequently released Petitioner on an Order of Release on
12 Recognizance on November 14, 2024.
- 13 2. Since his release, Petitioner has resided continuously at 
14 Los Angeles, California 90012. Within the time permitted by law, Petitioner filed an
15 Application for Asylum and for Withholding of Removal (Form I-589) with the
16 Immigration Court. After the statutory waiting period elapsed, he obtained employment
17 authorization and subsequently obtained a California Driver’s License. Petitioner attended
18 all required reporting appointments with ICE and has no criminal history.
- 19 3. Despite his full compliance, ICE summarily revoked Petitioner’s release and re-detained
20 him without advance notice or any opportunity to contest the revocation before being taken
21 into custody. Petitioner is currently confined at the Otay Mesa Detention Center. Following

1 his detention, Otay Mesa Immigration Court scheduled an in-person Master Calendar
2 Hearing for April 8, 2026, at 1:00 p.m.

- 3 4. The Ninth Circuit has held that "release on recognizance" constitutes "conditional parole"
4 under 8 U.S.C. § 1226(a). *Ortega-Cervantes v. Gonzalez*, 501 F.3d 1111, 1115 (9th Cir.
5 2007). Accordingly, Petitioner's detention is, and at all times has been, governed by §
6 1226(a)—not the mandatory detention provisions of § 1225(b).
- 7 5. Courts in this District have consistently so held. *See Kumar v. Casey*, No. 26-cv-0645-
8 BJC-BJW, (S.D. Cal. Feb. 18, 2026) (granting habeas and ordering immediate release on
9 recognizance for EWI petitioner who had been re-detained despite compliance with release
10 conditions); *Sun v. Noem*, No. 3:26-cv-00626-RBM-DDL (S.D. Cal. Feb. 20, 2026)
11 (finding that petitioner apprehended upon arrival, released on own recognizance, and re-
12 detained was detained under § 1226(a) and entitled to immediate release); *Ayinder v.*
13 *LaRose*, Case No. 26-cv-0566-JES-MSB, 2026 WL 296658, at *1 (S.D. Cal. Feb. 4, 2026)
14 (holding that where a petitioner is apprehended at the border, paroled into the country, and
15 had been residing in the country when re-detained, § 1226 governs).
- 16 6. This Court has repeatedly held that ICE's revocation of a noncitizen's conditional parole
17 or order of release on recognizance without a pre-deprivation hearing violates the Due
18 Process Clause of the Fifth Amendment. *Faizyan v. Casey*, Case No. 3:25-cv-02884-BM-
19 JLB, 2025 WL 3208844, at *7 (S.D. Cal. Nov. 17, 2025); *Sun v. Noem*, No. 3:26-cv-00626-
20 RBM-DDL, at 5 (S.D. Cal. Feb. 20, 2026); *see also Alegria Palma v. LaRose*, No. 25-cv-

1 1942-BJC-MMP, ECF No. 14, at 3 (S.D. Cal. Aug. 11, 2025) (finding that “continued
2 freedom after release on own recognizance” is a core liberty interest).

- 3 7. Petitioner respectfully requests that this Court grant the Petition, and order Respondents to
4 immediately release him on his own recognizance under the conditions previously
5 imposed, as this Court has done in analogous cases. *See Kumar*, No. 26-cv-0645-BJC-
6 BJW; *Sun*, No. 3:26-cv-00626-RBM-DDL.

7 **PARTIES**

- 8
9 8. Petitioner Meirambek Seidulla is a citizen and national of Kazakhstan. He is 25 years old,
10 having been born on [REDACTED] in Turkestan, Kazakhstan. He is currently detained
11 at the Otay Mesa Detention Center, 7488 Calzada De La Fuente, San Diego, California
12 92154. Prior to his detention, Petitioner resided at [REDACTED] Los
13 Angeles, California 90012.

- 14 9. Respondents are the federal officials responsible for Petitioner’s detention and the
15 enforcement of the immigration laws, including Christopher J. LaRose, Senior Warden of
16 the Otay Mesa Detention Center and the immediate custodian responsible for Petitioner’s
17 confinement; Patrick Divver, Field Office Director of the San Diego Office of Detention
18 and Removal, U.S. Immigration and Customs Enforcement; Todd M. Lyons, Acting
19 Director of U.S. Immigration and Customs Enforcement; Kristi Noem, Secretary of the
20 Department of Homeland Security; and Pamela Jo Bondi, Attorney General of the United
21 States. All Respondents are sued in their official capacities.

JURISDICTION

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10. This Court has jurisdiction over this Petition pursuant to 28 U.S.C. § 2241, which authorizes federal courts to grant habeas relief to individuals who are “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3). This action also arises under 28 U.S.C. § 1331, as it presents federal questions under the Constitution and the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101 et seq. Relief is further available pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., the All Writs Act, 28 U.S.C. § 1651, and the Suspension Clause, U.S. Const. art. I, § 9, cl. 2.

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11. Courts in this District have consistently held that 28 U.S.C. § 2241 confers jurisdiction to review constitutional and statutory challenges to civil immigration detention, notwithstanding the general jurisdiction-limiting provisions of 8 U.S.C. §§ 1252(b)(9) and 1226(e). *Sun*, No. 3:26-cv-00626-RBM-DDL, at 2; *Alegria Palma v. LaRose*, No. 25-cv-1942-BJC-MMP, ECF No. 14 (S.D. Cal. Aug. 11, 2025); *see also Hernandez v. Sessions*, 872 F.3d 976, 986 (9th Cir. 2017) (court has jurisdiction under § 2241 to hear constitutional claims about immigration detention); *Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1209 (9th Cir. 2022) (same).

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12. Section 1226(e) does not bar this Court’s review because Petitioner challenges not a discretionary decision to grant or deny release, but the constitutional and statutory authority for his detention in the first instance. *See Jennings v. Rodriguez*, 583 U.S. 281, 296 (2018) (§ 1226(e) does not preclude jurisdiction where a petitioner challenges the extent of the

1 Government's detention authority under the statutory framework as a whole); *Demore v.*
2 *Kim*, 538 U.S. 510, 517 (2003).

3 **VENUE**

4 13. Venue is proper in this District because Petitioner is currently confined at the Otay Mesa
5 Detention Center in San Diego, California, which is located within the Southern District of
6 California. *See Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004) (jurisdiction is proper in the
7 district of confinement). This Court has exercised jurisdiction over numerous habeas
8 petitions filed by noncitizens detained at Otay Mesa. *See, e.g., Kumar*, No. 26-cv-0645-
9 BJC-BJW; *Sun*, No. 3:26-cv-00626-RBM-DDL; *Faizyan*, No. 3:25-cv-02884-BM-JLB.

10 **REQUIREMENTS OF 28 U.S.C. § 2243**

11 14. This Court must grant the petition for writ of habeas corpus or issue an order to show cause
12 to the respondents "forthwith," unless Petitioner is not entitled to relief. 28 U.S.C. § 2243.
13 If an order to show cause is issued, the Court must require Respondents to file a return
14 "within *three days* unless for good cause additional time, not exceeding twenty days, is
15 allowed." *Id.* (emphasis added).
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17 **FACTUAL BACKGROUND**


18 15. Petitioner is a citizen of Kazakhstan, born on [REDACTED] in Turkestan, Kazakhstan. He
19 entered the United States at or near Tecate, California on September 15, 2024, without
20 prior inspection or admission.
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1 16. Petitioner entered the United States to seek protection from the Kazakh government, which
2 persecuted him for participating in anti-government demonstrations. On January 4, 2022,
3 Petitioner participated in an anti-government rally against the policies of the Government
4 of Kazakhstan, which was attended by thousands. During the rally, law enforcement
5 officers shot Petitioner in the abdomen, arms, and legs, causing serious injuries that
6 required hospitalization. Petitioner fears that if returned to Kazakhstan, he will be
7 imprisoned, killed, disabled, or forced to give false testimony against others by Ministry
8 of Internal Affairs officers. He has filed a Form I-589, Application for Asylum and for
9 Withholding of Removal, seeking protection based on political opinion and the Convention
10 Against Torture.

11 17. Immediately upon apprehension, DHS issued Petitioner a Notice to Appear charging him
12 as inadmissible under INA § 212(a)(6)(A)(i) as an alien present in the United States without
13 having been admitted or paroled. Petitioner was placed into standard removal proceedings
14 before the Immigration Court.

15 18. On November 14, 2024, ICE released Petitioner on an Order of Release on Recognizance
16 (Form I-220A). The Order was issued pursuant to section 236 of the INA (8 U.S.C. § 1226)
17 and directed Petitioner to report to the ICE duty officer, to not violate any laws, and to
18 assist ICE in obtaining travel documents. Petitioner acknowledged and signed the
19 conditions of release.

20 19. Following his release, Petitioner established a fixed residence at 

21  Los Angeles, California 90012. He obtained a California Driver's License and
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1 was issued an Employment Authorization Document (Category C08, valid from September
2 1, 2025 through August 31, 2030). He appeared at all scheduled reporting appointments
3 with ICE and has not been charged with or convicted of any crime in the United States.

4 20. ICE subsequently re-detained Petitioner. He was afforded no advance written notice that
5 his Order of Release on Recognizance would be revoked, no explanation of the basis for
6 revocation, and no opportunity to be heard before being taken into custody.

7 21. Petitioner is now confined at the Otay Mesa Detention Center in San Diego, California. He
8 has not been provided a bond hearing or any other individualized custody determination.
9 He has a pending asylum application before the Immigration Court.

10 **LEGAL FRAMEWORK**

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12 22. The INA prescribes distinct detention frameworks applicable to noncitizens encountered
13 during the removal process. Section 1225(b) governs mandatory detention of individuals
14 “seeking admission” at a port of entry or apprehended at or near the border before they are
15 admitted or paroled. Section 1226(a) provides for discretionary detention of noncitizens
16 pending a decision on removal, with a right to seek release on bond or conditional parole.
17 Section 1226(c) mandates detention of certain individuals with specified criminal histories.

18 23. The critical statutory question in cases like Petitioner’s is which framework governs—§
19 1225(b) or § 1226(a). This Court has addressed this question repeatedly and in Petitioner’s
20 favor.

1 24. The Ninth Circuit has squarely held that “release on recognizance” constitutes “conditional
2 parole” under § 1226(a). *Ortega-Cervantes*, 501 F.3d at 1115. Courts in this District have
3 consistently applied *Ortega-Cervantes* to find that EWI noncitizens who were
4 apprehended, issued a Notice to Appear, and released on an Order of Release on
5 Recognizance are detained under § 1226(a)—not § 1225(b). *Sun*, No. 3:26-cv-00626-
6 RBM-DDL, at 3-4; *Ayinder*, 2026 WL 296658, at *1.

7 25. This Court articulated the governing rule in *Ayinder*: “[W]here a petitioner is apprehended
8 at the border, paroled into the country, and had been residing in the country when he was
9 re-detained, his detention is governed by § 1226.” *Ayinder v. LaRose*, No. 26-cv-0566-
10 JES-MSB, 2026 WL 296658, at *1 (S.D. Cal. Feb. 4, 2026) (citations omitted). The same
11 analysis applies here.

12 26. In *Sun v. Noem*, this Court applied identical reasoning to an EWI petitioner who had been
13 apprehended upon arrival, released on his own recognizance, re-detained over two years
14 later, and held at Otay Mesa Detention Center—the same facility where Petitioner is now
15 confined. The Court held: “Petitioner’s release on his own recognizance shows that he was
16 initially detained under § 1226(a),” and ICE’s revocation without a pre-deprivation hearing
17 violated his due process rights, warranting immediate release. *Sun*, No. 3:26-cv-00626-
18 RBM-DDL, at 3-5 (citing *Ortega-Cervantes*, 501 F.3d at 1115).

19 27. Similarly, in *Kumar v. Casey*, this Court granted a habeas petition and ordered Respondents
20 to immediately release on his own recognizance an EWI petitioner from India who had
21 been detained by ICE despite compliance with all conditions of his Order of Release on

1 Recognizance. *Kumar v. Casey*, No. 26-cv-0645-BJC-BJW, at 1-2 (S.D. Cal. Feb. 18,
2 2026). Petitioner Seidulla’s circumstances are materially identical.

3 28. Because Petitioner’s re-detention is governed by § 1226(a), it must be accompanied by
4 procedural safeguards—at a minimum, a pre-deprivation hearing or, after re-detention, an
5 individualized bond hearing at which the government bears the burden of proving
6 dangerousness or flight risk. None of these procedures were provided.

7 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

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9 29. Exhaustion of administrative remedies is not required in this case. Section 2241 contains
10 no statutory exhaustion requirement, and courts apply only a prudential exhaustion
11 doctrine. *McCarthy v. Madigan*, 503 U.S. 140, 144 (1992). Where a petitioner raises
12 constitutional challenges to detention, exhaustion is excused because administrative
13 agencies lack the authority to adjudicate constitutional claims. *Sterkaj v. Gonzalez*, 439
14 F.3d 273, 279 (6th Cir. 2006); *Hernandez v. Sessions*, 872 F.3d at 990.

15 30. Moreover, following the Board of Immigration Appeals’ decision in *Matter of Yajure*
16 *Hurtado*, 29 I&N Dec. 216 (BIA 2025), Immigration Judges routinely decline bond
17 jurisdiction once DHS invokes § 1225(b). Accordingly, any attempt to seek a bond hearing
18 administratively would be futile. *Sun*, No. 3:26-cv-00626-RBM-DDL, at 2 (noting BIA’s
19 application of *Yajure Hurtado* to deny immigration judge jurisdiction).

20 **CLAIMS FOR RELIEF**

21 **CLAIM ONE**

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Detention Violates the Immigration and Nationality Act (INA)

31. Petitioner incorporates by reference the allegations set forth in all preceding paragraphs.

32. Petitioner’s re-detention is not authorized under § 1225(b). As set forth above, Petitioner was apprehended upon entry, issued a NTA, placed into standard § 1229a removal proceedings, and released on an Order of Release on Recognizance under § 1226(a). That release constitutes “conditional parole” under § 1226(a). *Ortega-Cervantes*, 501 F.3d at 1115. Respondents therefore lack statutory authority to detain Petitioner under § 1225(b).

33. Under § 1226(a), Petitioner is entitled to an individualized custody determination, including the opportunity for release on bond or conditional parole. 8 C.F.R. §§ 1003.19(a), 1236.1(d). ICE revoked his release without providing any such determination. Respondents’ failure to provide an individualized bond hearing or to justify re-detention by lawful criteria violates the INA and exceeds DHS’s statutory authority.

34. This Court granted habeas relief on identical grounds in *Kumar, Sun, Ayinder, and Faizyan*, among other cases. Petitioner respectfully requests the same relief here.

CLAIM TWO

Violation of the Due Process Clause of the Fifth Amendment

35. Petitioner incorporates by reference the allegations set forth in all preceding paragraphs.

36. The Due Process Clause of the Fifth Amendment prohibits the government from depriving any person of liberty without due process of law. It “applies to all ‘persons’ within the United States, including [noncitizens], whether their presence here is lawful, unlawful,

1 temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). “Freedom from
2 imprisonment — from government custody, detention, or other forms of physical restraint
3 — lies at the heart of the liberty” that the Due Process Clause protects. *Id.* at 690.

4 37. To determine which procedures are constitutionally required, courts apply the three-part
5 test established in *Mathews v. Eldridge*, 424 U.S. 319 (1976), weighing: (1) the private
6 interest affected; (2) the risk of erroneous deprivation through the procedures used, and the
7 probable value of additional procedural safeguards; and (3) the Government’s interest,
8 including the fiscal and administrative burdens that additional procedures would entail. *Id.*
9 at 335. This Court applied the *Mathews* test in *Sun* and found that ICE’s summary
10 revocation of a petitioner’s release on recognizance without a pre-deprivation hearing
11 deprived him of his due process rights. *Sun*, No. 3:26-cv-00626-RBM-DDL, at 4-5.

12 38. First, Petitioner has a substantial private interest in remaining free from detention. When
13 the government releases a noncitizen on an order of release on recognizance, it creates a
14 liberty interest intimately tied to freedom from imprisonment. *Alegria Palma v. LaRose*,
15 No. 25-cv-1942-BJC-MMP, ECF No. 14, at 3 (S.D. Cal. Aug. 11, 2025). Petitioner had
16 been residing in the United States for over sixteen months under the conditions of his
17 release before re-detention. The deprivation of his liberty is substantial.

18 39. Second, the risk of erroneous deprivation is high. Petitioner was never provided a hearing,
19 notice of the basis for revocation, or any opportunity to contest ICE’s decision. He was
20 compliant with all conditions of release, has no criminal history, has established
21 community ties in Los Angeles, and has a pending asylum claim. There is no evidence he

1 poses a flight risk or danger to the community. ICE's revocation without individualized
2 justification or a hearing creates a serious risk that Petitioner is being erroneously detained.
3 See *Sun*, No. 3:26-cv-00626-RBM-DDL, at 4-5; *Faizyan*, 2025 WL 3208844, at *7.

4 40. Third, the Government's interest does not outweigh the constitutional deficiencies in the
5 revocation procedure used. As this Court observed in *Sun*, Respondents have not argued
6 that Petitioner poses a flight risk or danger to the community. Given Petitioner's full
7 compliance and established residence, requiring a pre-deprivation hearing or a prompt
8 bond hearing would impose at most a modest administrative burden, far outweighed by the
9 harm of Petitioner's unlawful imprisonment.

10 41. Applying the *Mathews* test, this Court has repeatedly held that ICE's revocation of a
11 conditional parole or order of release on recognizance without an opportunity to be heard
12 violates due process. *Sun*, No. 3:26-cv-00626-RBM-DDL, at 4-5 ("ICE's revocation of
13 Petitioner's release on his own recognizance without a pre-deprivation hearing violates his
14 due process rights and renders his detention unlawful") (citing *Faizyan*, 2025 WL 3208844,
15 at *7); see also *C.A.R.V. v. Wofford*, Case No. 1:25-CV-01395-JLT-SKO, 2025 WL
16 3059549, at *9 (E.D. Cal. Nov. 3, 2025) (due process violation where petitioner was
17 originally released on order of release on own recognizance). The same result is warranted
18 here.

19 **CLAIM THREE**

20 **Violation of the Suspension Clause of the U.S. Constitution**

1 42. Petitioner incorporates by reference the allegations set forth in all preceding paragraphs.

2 43. The Suspension Clause, U.S. Const. art. I, § 9, cl. 2, guarantees that “[t]he Privilege of the
3 Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or
4 Invasion the public Safety may require it.” Petitioner’s continued detention, without access
5 to judicial review or a mechanism to challenge the legality of his custody, violates this
6 constitutional guarantee. By asserting mandatory detention authority under 8 U.S.C. §
7 1225(b) and denying Petitioner any opportunity to seek release or a bond hearing, the
8 Government has effectively extinguished the core function of the writ—to test the legality
9 of restraint on personal liberty.

10 44. The Supreme Court has long held that habeas relief remains available to noncitizens
11 seeking to challenge unlawful executive detention. *See INS v. St. Cyr*, 533 U.S. 289, 301
12 (2001) (“At the absolute minimum, the Suspension Clause protects the writ as it existed in
13 1789.”). The writ cannot be withdrawn where, as here, the Executive detains an individual
14 without statutory authority and without due process safeguards. *See Boumediene v. Bush*,
15 553 U.S. 723, 779 (2008) (inadequate substitutes cannot replace habeas; detainees must
16 have a meaningful opportunity to challenge detention).

17 45. Courts in this District have repeatedly exercised habeas jurisdiction over challenges to the
18 statutory and constitutional basis of civil immigration detention. As discussed throughout
19 this Petition, this Court has rejected the Government’s reliance on § 1225(b) and confirmed
20 that challenges to the legality of detention itself fall squarely within the core of habeas
21 review and cannot be foreclosed by § 1226(e). *See Kumar v. Casey*, No. 26-cv-0645-BJC-

1 B JW (S.D. Cal. Feb. 18, 2026); *Sun v. Noem*, No. 3:26-cv-00626-RBM-DDL (S.D. Cal.
2 Feb. 20, 2026); *Faizyan v. Casey*, 2025 WL 3208844 (S.D. Cal. Nov. 17, 2025). This Court
3 has further held that where the Government lacks a valid statutory basis for continued
4 detention and cannot cure that defect through post-hoc procedural mechanisms, habeas
5 relief—including immediate release—is warranted. *Kumar*, No. 26-cv-0645-BJC-B JW, at
6 2; *Sun*, No. 3:26-cv-00626-RBM-DDL, at 5–6. These decisions confirm that civil
7 immigration detention is subject to habeas review and must rest on a valid statutory basis
8 and constitutionally adequate process.

9 46. Petitioner’s case presents a compelling basis for habeas relief. He was affirmatively
10 released on an Order of Release on Recognizance under INA § 236(a), lived in the United
11 States as a productive member of society, faithfully complied with all ICE reporting
12 conditions, obtained employment authorization, and was actively pursuing his asylum
13 claim before the Immigration Court at the time of his re-detention. DHS never challenged
14 or appealed any prior determination regarding his release. To now re-detain Petitioner
15 under § 1225(b) without individualized process, and to foreclose the bond jurisdiction
16 previously applicable to his case, represents an effective suspension of the writ as applied
17 to Petitioner.

18 47. Because Petitioner’s detention without access to meaningful judicial review of his custody
19 constitutes an effective suspension of the writ of habeas corpus, this Court must exercise
20 jurisdiction and grant relief. Petitioner respectfully requests an order directing his
21

1 immediate release, or, in the alternative, a prompt individualized custody hearing at which
2 the Government must justify continued detention by clear and convincing evidence.

3 **REMEDY: IMMEDIATE RELEASE IS WARRANTED**

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5 48. In analogous cases, this Court has ordered immediate release on recognizance rather than
6 a bond hearing, finding that remanding for yet another hearing would not provide a
7 meaningful remedy where the Government has not contested the petitioner's compliance
8 or argued that he poses a flight risk or danger to the community.

9 49. In *Kumar v. Casey*, this Court ordered Respondents to "immediately release Petitioner on
10 his own recognizance under the previously determined conditions" because the
11 Government itself acknowledged that Petitioner was detained under § 1226(a) and entitled
12 to habeas relief. *Kumar*, No. 26-cv-0645-BJC-BJW, at 2 (S.D. Cal. Feb. 18, 2026).

13 50. In *Sun v. Noem*, this Court also ordered immediate release, reasoning that Petitioner had
14 already received a prior bond hearing in which the immigration judge found him neither a
15 flight risk nor a danger, and that "circumstances have not changed such that the
16 immigration judge's finding should be called into question." *Sun*, No. 3:26-cv-00626-
17 RBM-DDL, at 5 (quoting *Ruiz v. Noem*, Case No. 3:25-cv-03536-RBM-BJW, 2025 WL
18 3719888, at *2 (S.D. Cal. Dec. 23, 2025)).

19 51. Petitioner has no criminal history, has a pending asylum claim with a credible fear of
20 persecution, has demonstrated compliance with all ICE reporting requirements, and has
21 substantial community ties in Los Angeles. He obtained an Employment Authorization

1 Document and a California Driver's License. Respondents have not contended that he
2 poses a flight risk or danger to the community. Immediate release on his prior recognizance
3 conditions is the appropriate remedy.

4 52. In the alternative, should the Court find that immediate release is not warranted, Petitioner
5 respectfully requests that the Court order Respondents to provide him with an
6 individualized bond hearing under 8 U.S.C. § 1226(a) within five (5) days, at which the
7 Government bears the burden of proving by clear and convincing evidence that Petitioner
8 poses a danger to the community or a risk of flight. Should Respondents fail to hold such
9 a hearing within the specified period or fail to meet their burden of proof, Petitioner must
10 be immediately released.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Petitioner respectfully requests that this Court:

- 13
- 14 1. Assume jurisdiction over this matter pursuant to 28 U.S.C. § 2241;
 - 15 2. Issue an order prohibiting Respondents from transferring Petitioner outside this judicial
16 district during the pendency of these proceedings;
 - 17 3. Grant the Petition for a Writ of Habeas Corpus;
 - 18 4. Order Respondents to immediately release Petitioner from immigration detention on his
19 own recognizance under the previously imposed conditions, as his continued detention
20 without constitutionally adequate procedures is unlawful;

- 1 5. In the alternative, order Respondents to provide Petitioner with an individualized bond
- 2 hearing under 8 U.S.C. § 1226(a) within five (5) days, at which the Government bears the
- 3 burden of proving dangerousness or flight risk by clear and convincing evidence, and
- 4 provide that if Respondents fail to do so or fail to meet their burden, Petitioner must be
- 5 immediately released;
- 6 6. Enjoin Respondents from re-detaining Petitioner absent lawful statutory authority and
- 7 constitutionally sufficient procedures; and
- 8 7. Grant such other and further relief as the Court deems just and proper.

9
10 Respectfully submitted on March 12, 2026.

11 COUNSEL FOR PETITIONER,

12
13 /s/ Harun Taskin

14 Harun Taskin
15 *Pro Hac Vice Pending
16 Illinois State Bar #6342748
17 Kent Law Partners LLC
18 1701 E. Woodfield Rd., Ste. 820
19 Schaumburg, IL 60173
20 Phone: (312) 724-5555
21 Fax: 312-724-5555
22 htaskin@kentlawpartners.com

13 /s/ Isai Eli Ramirez Crohn

14 Isai Eli Ramirez Crohn (360125)
15 RCA IMMIGRATION, APC
16 611 S Catalina St, Ste 222
17 Los Angeles, CA 90005
18 Phone: 323-408-0739
19 isai@rcaimmigration.com

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2 **28 U.S.C. § 2242 VERIFICATION STATEMENT**

3
4 I am submitting this verification on behalf of Petitioner Meirambek Seidulla because I am
5 Petitioner's attorney. I have reviewed the relevant documentation of the events described in this
6 Petition that was reasonably available to me prior to and at the time of filing. Based on those
7 documents and on discussions with Petitioner and individuals whom he authorized to speak on
8 his behalf, I hereby verify that the statements made in this Petition are true and correct to the best
9 of my knowledge.

10 Respectfully submitted on March 12, 2026.

11 /s/ Harun Taskin

12 *Pro Hac Vice Pending

13 Harun Taskin, Esq.

14 Illinois State Bar #6342748

15 Kent Law Partners LLC

16 1701 E. Woodfield Rd., Ste. 820

17 Schaumburg, IL 60173

18 Phone: (312) 724-5555

19 htaskin@kentlawpartners.com