

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ZAZA KHOPERIA,

Petitioner,

v.

JAMAL L. JAMISON, Warden of Philadelphia
Federal Detention Center; JOHN RIFE, Field
Office Director of Enforcement and Removal
Operations, Philadelphia Field Office,
Immigration and Customs Enforcement,

Respondents.

**PETITION FOR WRIT OF
HABEAS CORPUS**

Case No. 2:26-cv-2153

INTRODUCTION

1. Petitioner, Zaza Khoperia, is in the physical custody of Respondents at the Philadelphia Federal Detention Center. He now faces unlawful detention because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded Petitioner is subject to mandatory detention.

2. Petitioner entered the United States around February 14, 2022, without inspection. *See Exhibit A.* Petitioner was issued a Notice to Appear (NTA) and placed in removal proceedings, wherein he was charged as having entered the United States without admission or inspection. *See* 8 U.S.C. § 1182(a)(6)(A)(i); *see also* 8 U.S.C. § 1182(a)(7)(A)(i)(I). He was not charged as an “arriving alien.” See Exhibit A.

3. Thereafter Petitioner timely filed an I-589, Application for Asylum. That application remains pending. Upon information and belief, Petitioner has no criminal history and has complied with all ICE reporting requirements since entering into the United States.

4. Petitioner was initially taken into Immigration and Customs Enforcement (“ICE”) custody on February 22, 2025 – after Petitioner mistakenly crossed the northern border of the United States into Canada while working as a commercial truck driver. Petitioner applied for bond and was granted same after his detention. See Exhibit B. Petitioner paid the bond and was released from custody.

5. In a memorandum opinion accompanying the bond order, The Immigration Judge noted that at the time of the bond hearing “it was not disputed that [Petitioner]’s detention was governed by §236(a) of the INA.” See Exhibit C, p. 3. §236(a) of the INA is codified as U.S.C. § 1226(a) – which is discussed in further depth below. The Immigration Judge further held that Petitioner was neither a flight risk, nor did he pose a danger to the community. Id p. 4. (“[Petitioner] met his burden of proof to establish that he does not pose a danger to the community or risk to national security there is nothing in this record before this court to demonstrate otherwise.”)

6. The government appealed the Immigration Judge’s decision to grant Petitioner’s bond request. Thereafter, on February 18, 2026, the Board of Immigration (“BIA”) issued an Order granting the government’s appeal. See Exhibit D. The Order stated that the Immigration Judge did not have jurisdiction to grant bond pursuant to *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). Id.

7. On Tuesday, March 31, 2026, Petitioner was arrested and detained by ICE. **Petitioner was completing a check-in with ICE at the time he was detained.**

8. Based on the allegation in Petitioner’s removal proceedings, DHS has denied or will deny Petitioner release from immigration custody, consistent with a new DHS policy issued on July 8, 2025, instructing all ICE employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without admission or inspection—to

be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

9. Similarly, on September 5, 2025, the Board of Immigration Appeals (BIA or Board) issued a precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond or even submit a bond request to the immigration judge. Previously, on May 15, 2025, the BIA previously issued a precedent decision, binding on all IJs, holding that an IJ has no authority to consider bond requests for any person who was released from detention pursuant to a grant of parole under section 212(d)(5)(a). *See Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

10. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

11. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner. This is demonstrated by Respondent's decision to not dispute the fact that Petitioner's detention was governed by §236(a) of the INA at his original bond hearing. *Exh. C*.

12. Accordingly, Petitioner seeks a writ of habeas corpus requiring that he be released.

JURISDICTION

13. Petitioner is in the physical custody of Respondents. Petitioner is detained at the Philadelphia Federal Detention Center in Philadelphia, Pennsylvania. See Exhibit E.

14. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause).

15. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.

VENUE

16. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the Eastern District of Pennsylvania, the judicial district in which Petitioner currently is detained.

17. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Eastern District of Pennsylvania.

REQUIREMENTS OF 28 U.S.C. § 2243

18. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return “within three days unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.*

19. Habeas corpus is “perhaps the most important writ known to the constitutional law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

20. Petitioner Zaza Khoperia is a citizen of Georgia who has been in immigration detention since March 10, 2026. After arresting Petitioner, ICE did not set bond and Petitioner is unable to obtain review of his custody by an Immigration Judge, pursuant to the Board’s decisions in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025) and *Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025).

21. Respondent Jamal L. Jamison is employed by the Federal Bureau of Prisons as Warden of the Philadelphia Federal Detention Center where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

22. Respondent John Rife is the Acting Director of the Philadelphia Field Office of ICE’s Enforcement and Removal Operations division. As such, Respondent Rife is Petitioner’s immediate custodian and is responsible for Petitioner’s detention and removal. He is named in his official capacity.

LEGAL FRAMEWORK

23. The INA prescribes three basic forms of detention for the vast majority of noncitizens in removal proceedings.

24. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are generally entitled to a bond hearing at the outset of their detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, *see* 8 U.S.C. § 1226(c).

25. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

26. Last, the INA also provides for detention of noncitizens who have been ordered removed, including individuals in withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b).

27. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

28. The detention provisions at § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104–208, Div. C, §§ 302–03, 110 Stat. 3009–546, 3009–582 to 3009–583, 3009–585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No. 119–1, 139 Stat. 3 (2025).

29. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225 and that they were instead detained under § 1226(a). *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997).

30. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal

history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed “arriving” were entitled to a custody hearing before an IJ or other hearing officer. *See Exh. C; see also* 8 U.S.C. § 1252(a) (1994); *see also* H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply “restates” the detention authority previously found at § 1252(a)).

31. On May 15, 2025, the BIA issued a precedent decision, binding on all IJs, holding that IJ has no authority to consider bond requests for any person who was released from detention pursuant to a grant of parole under section 212(d)(5)(a). *See Matter of Q. Li*, 29 I. & N. Dec. 66 (BIA 2025). The Board determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

32. On July 8, 2025, ICE, “in coordination with” DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice. The new policy, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,”¹ claims that all persons who entered the United States without inspection shall now be subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended, and it affects those who have resided in the United States for months, years, and even decades.

33. On September 5, 2025, the BIA adopted this same position in a published decision, *Matter of Yajure Hurtado*. There, the Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings.

¹ Available at <https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission>.

34. Since Respondents adopted their new policies, thousands of federal courts have rejected their new interpretation of the INA's detention authorities. *See, e.g., Cantu Cortes v. O'Neill et al.*, No. 25-CV-6338-CFK, 2025 WL 3171639 (E.D. Pa. Nov. 13, 2025) (“ICE’s mandatory detention of Petitioner under U.S.C. § 1225(b)(2)(A) violates the laws of the United States and Petitioner’s rights under the Due Process Clause.”); *Kashranov v. Jamison, et al.*, No. 2:25-CV-05555-JDW, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025) (same); *Morocho v. Jamison et al.*, No. 5:25-CV-05930-JMG, 2025 WL 3296300 (E.D. Pa. Nov. 26, 2025) (same);

35. Courts have uniformly rejected DHS’s and EOIR’s new interpretation because it defies the INA. As the court in *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025) explained, the plain text of the statutory provisions demonstrates that § 1226(a), not § 1225(b), applies to people like Petitioner.

36. Section 1226(a) applies by default to all persons “pending a decision on whether the [noncitizen] is to be removed from the United States.” These removal hearings are held under § 1229a, to “decid[e] the inadmissibility or deportability of a[] [noncitizen].”

37. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)’s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the *Rodriguez Vazquez* court explained, “[w]hen Congress creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions, the statute generally applies.” *Rodriguez Vazquez*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *see also* *Gomes*, 2025 WL 1869299, at *7.

38. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

39. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies "at the Nation's borders and ports of entry, where the Government must determine whether a[] [noncitizen] seeking to enter the country is admissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

40. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

FACTS

41. Petitioner incorporates herein by reference paragraphs 1-12, *supra*.

42. Following Petitioner's arrest and transfer to the Philadelphia Federal Detention Center, ICE presumptively issued a custody determination to continue Petitioner's detention without an opportunity to post bond or be released on other conditions.

43. Pursuant to *Matter of Yajure Hurtado* and *Matter of Q. Li*, the immigration judge is unable to consider Petitioner's bond request.

44. As a result, Petitioner remains in detention. Without relief from this court, he faces the prospect of months, or even years, in immigration custody, separated from his family and community.

IMMEDIATE RELEASE IS WARRANTED

45. The Supreme Court has recognized that “Habeas has traditionally been a means to secure *release* from unlawful detention.” *Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 107, 140 S.Ct. 1959, 207 L.Ed.2d 427 (2020) (emphasis in original). Several decisions from the Eastern District have ordered immediate release in similar cases. *See, e.g., Bhatia v. O’Neill, et al.*, No. 25-6809, Dkt. 8 (E.D. Pa. Dec. 10, 2025); *Rodrigues Pereira v. O’Neill, et al.* No. 25-6543, Dkt. 11 (E.D. Pa. Dec. 8, 2025); *Morocho v. Jamison, et al.*, No. 25-05930, 2025 WL 3296300, at *3 (E.D. Pa. Nov. 26, 2025); *Diallo v. O’Neill, et al.*, 25-06358, Dkt. 10 (E.D. Pa. Nov. 26, 2025); *Patel v. McShane, et al.*, 25-05975 (E.D. Pa. Nov. 20, 2025). The Court should not depart from this norm.

46. As noted above, thousands of district court decisions addressing the legal issues presented in the underlying Petition for Writ of Habeas Corpus have rejected the government’s position. *See Barco Mercado v. Francis et al.*, No. 25-06582, ECF No. 28 at *9-10, *35-40 (S.D.N.Y. Nov. 26, 2025). Those Courts have roundly rejected Government’s interpretation of the Immigration and Nationality Act (INA); the interpretation that is part of the Department of Homeland Security’s (DHS) policy issued on July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without admission or inspection—to be subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond; and the interpretation is part of the Board of Immigration Appeals’ (BIA or Board) September 5, 2025 precedent decision, binding on all immigration judges, holding that an immigration judge has no authority to consider bond requests for any person who entered the United States without admission. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025),

which determined that such individuals are subject to detention under 8 U.S.C. § 1225(b)(2)(A) and therefore ineligible to be released on bond.

47. Many of these decisions have found that Respondents' erroneous application of the law violates the respective detainees constitutional right to Due Process. *See, e.g., Cantu-Cortes v. O'Neill*, No. 25-6338, 2025 WL 317639 (E.D. Pa. Nov. 13, 2025); *Bethancourt Soto v. Soto*, 2025 WL 2976572 (D.N.J. Oct. 22, 2025); *Sanchez Ballestros v. Noem*, 2025 WL 2880831 (W.D. Ky. Oct. 9, 2025); *Hernandez-Alonso v. Tindall*, 2025 WL 3083920 (W.D. Ky. Nov. 4, 2025); *Rodriguez Serrano v. Noem*, 2025 WL 3122825 (W.D. Mich. Nov. 7, 2025); *Ochoa Ochoa v. Noem*, No. 25 CV 10865, 2025 WL 2938779, (N.D. Ill. Oct. 16, 2025); *Rosales Ponce v. Olson*, 2025 WL 3049785 (N.D. Ill. Oct. 31, 2025); *Loza Valencia v. Noem*, 2025 WL 3042520 (N.D. Ill. Oct. 31, 2025); *Rosado v. Figueroa*, 2025 WL 2337099 (D. Ariz. Aug. 11, 2025); *Cuevas Guzman v. Andrews*, 2025 WL 2617256 (E.D. Cal. Sept. 9, 2025); *Guerrero Lepe v. Andrews*, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025); *E.C. v. Noem*, 2025 WL 2916264 (D. Nev. Oct. 14, 2025); *Garcia Domingo v. Castro*, 2025 WL 2941217 (D.N.M. Oct. 15, 2025); *Artiga v. Genalo*, 2025 WL 2829434 (E.D.N.Y. Oct. 5, 2025).

48. Despite this *overwhelming rejection* of Respondents' new policies and *Matter of Yajure Hurtado*, and hundreds of decisions finding that Respondents are violating the constitutional rights, **Respondents refuse to relent and continue act in defiance of the law and the Constitution. It has been reported that ICE agents inform detainees that they “have to sue us [ICE] to get out.”**

49. Petitioner is now one of the approximately 68,000 people detained by Respondents.² Respondents' unlawful behavior is pervasive and defies decision after decision from the Courts. As Petitioner's arrest and detention were blatantly unlawful from the start, the only commensurate and appropriate equitable remedy to even partially restore Petitioner is to immediately release him and enjoin the Government from further similar transgressions. *See, e.g., Martinez v. McAleenan*, 385 F. Supp. 3d 349, 373 (S.D.N.Y. 2019).

CLAIMS FOR RELIEF

COUNT I Violation of the INA

50. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

51. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

52. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates the INA.

² *See* ICE's publicly available detention data, available at: <https://www.ice.gov/detain/detention-management>

COUNT II
Violation of the Bond Regulations

53. Petitioner incorporates by reference the allegations of fact set forth in preceding paragraphs.

54. In 1997, after Congress amended the INA through IIRIRA, EOIR and the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention of [Noncitizens],” the agencies explained that “[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that individuals who had entered without inspection were eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.

55. Nonetheless, pursuant to *Matter of Yajure Hurtado*, EOIR has a policy and practice of applying § 1225(b)(2) to individual like Petitioner.

56. The application of § 1225(b)(2) to Petitioner unlawfully mandates his continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

COUNT III
Violation of Due Process

57. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

58. The government may not deprive a person of life, liberty, or property without due process of law. U.S. Const. amend. V. “Freedom from imprisonment—from government custody,

detention, or other forms of physical restraint—lies at the heart of the liberty that the Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

59. Petitioner has a fundamental interest in liberty and being free from official restraint.

60. The government’s detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates his right to due process.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Order that Petitioner shall not be transferred outside the Eastern District of Pennsylvania while this habeas petition is pending;
- c. Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- d. Issue a Writ of Habeas Corpus requiring that Respondents **immediately release Petitioner;**
- e. Declare that Petitioner’s detention is unlawful;
- f. Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act (“EAJA”), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- g. Grant any other and further relief that this Court deems just and proper.

Respectfully Submitted,

Date: April 1, 2026

s/Conor Deane
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Attorney for Petitioner

Exhibit A

Allegations: Admits All; | Charges: Concedes All; see WP
Designated Country: GEORGIA |

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

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

Subject ID: [REDACTED] FINS [REDACTED] File No: [REDACTED]
In the Matter of: [REDACTED] DOB: [REDACTED] Ev [REDACTED]

Respondent: _____ ZAZA KHOPERIA _____ 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 GEORGIA and a citizen of GEORGIA ;
3. You arrived in the United States at or near SAN LUIS, AZ , on or about April 17, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

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) (6) (A) (i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- 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:

26 FEDERAL PLZ, 12TH FL RM1237 NEW YORK NY 10278

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

on September 08, 2023 at 09:00 AM to show why you should not be removed from the United States based on the

(Date)

(Time)

charge(s) set forth above.

JORGE GONZALEZ
Acting/Patrol Agent in Charge

JORGE A GONZALEZ
Date: 2023.04.17 16:35:02 -07:00
0607524370.CBP

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

Date: April 17, 2023

Yuma, Arizona

(City and State)

EOIR - 1 of 6

Allegations: Admits All; | Charges: Concedes All; see WP

Designated Country: GEORGIA |

Allegations: Admits All; Charges: Concedes All; **Notice to Respondent**

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

BORDER PATROL AGENT

Date: 04/17/2023

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

Certificate of Service

This Notice To Appear was served on the respondent by me on April 17, 2023, 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 GEORGIAN - SOVIET 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.

q b m o s h a d

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

KEVIN MARQUARDT, BORDER PATROL AGENT KM

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

EOIR - 3 OF 6

Allegations: Admits All; | Charges: Concedes All; see WP
Designated Country: GEORGIA |

Allegations: Admits All; | Charges: Concedes All; **Privacy Act Statement**

Designated Country: GEORGIA |

At [REDACTED]
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 DHS 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/doi-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS 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 DHS policy, the information you provide may be shared internally within DHS, 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.

Allegations: Admits All; | Charges: Concedes All; see WP
Designated Country: GEORGIA |

Exhibit B



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

Respondent Name:

KHOPERIA, ZAZA

To:

KURDADZE, MARINE
2851 Cropsey Ave
Ste. 113
Brooklyn, NY 11214



Riders:

In Custody Redetermination Proceedings

Date:

03/12/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

Denied, because

- Granted. It is ordered that Respondent be:
- released from custody on his own recognizance.
 - released from custody under bond of \$ 5,000.00
 - other:

Other:

The Court finds that Respondent has met his burden to establish that his release would not pose a danger to property or persons, and that he is not a risk to national security. The Court finds that \$5,000.00 is an appropriate amount to assuage concerns over risk of flight. An Oral Decision was issued, and is incorporated by reference herein.



Immigration Judge: SCHULTZ, ERIC 03/12/2025

Appeal: Department of Homeland Security: waived reserved
 Respondent: waived reserved
 Appeal Due: 04/11/2025

Certificate of Service

This document was served:


Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable
 To: [] Noncitizen | [] Noncitizen c/o custodial officer | [E] Noncitizen's atty/rep. | [E] DHS
 Respondent Name : KHOPERIA, ZAZA | A-Number : 
 Riders:
 Date: 03/12/2025 By: Cavar, Sandi, Court Staff

Exhibit C

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
4250 FEDERAL DRIVE, ROOM F108
BATAVIA, NY 14020

Marine Kurdadze
KURDADZE, MARINE
2851 Cropsey Ave
Ste. 113
Brooklyn, NY 11214

In the matter of
KHOPERIA, ZAZA

File A



DATE: Jul 21, 2025

- ___ Unable to forward - No address provided.
- ___ Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041
- ___ Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c) (3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c) (3) in deportation proceedings or section 240(b) (5) (C), 8 U.S.C. § 1229a(b) (5) (C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:
IMMIGRATION COURT
4250 FEDERAL DRIVE, ROOM F108
BATAVIA, NY 14020
- ___ Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g) (1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.
- ___ Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.
- XX Other: Bond Memorandum

/s/mak
COURT CLERK
IMMIGRATION COURT

FF

cc: PETER MARCHE-ASSISTANT CHIEF COUNSEL
4250 FEDERAL DRIVE
BATAVIA, NY, 14020

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
BATAVIA, NEW YORK

IN THE MATTER OF:

In Bond Proceedings

Zaza Khoperia

FILE NUMBER: 

RESPONDENT

BOND MEMORANDUM

On March 12, 2025, this Immigration Court conducted a bond hearing in the above-referenced matter at Respondent's request. Respondent was represented by Counsel. The Department of Homeland Security (DHS) declined to release Respondent on bond pursuant to section 236 of the Immigration and Nationality Act ("INA"). (Bond Ex. 1.) Respondent requested that an immigration judge review this custody determination. (*Id.*) This Court conducted a bond hearing, at which Respondent requested a bond of \$1,500. DHS indicated that although Respondent was eligible for bond consideration, it would oppose a bond of any amount. The Court held a bond hearing. After considering the evidence submitted by the parties, Exhibits 1-3, and the oral arguments of counsel, the Court set a bond in the amount of \$5,000. DHS has appealed the Court's decision to the Board of Immigration Appeals.

By way of background, Respondent is a native and citizen of Georgia who entered the United States near San Luis, Arizona, on April 17, 2023. (Removal Ex. 1.) He was not then admitted or paroled. (*Id.*) The DHS commenced removal proceedings by a NTA dated April 17, 2023, charging removability under § 212(a)(6)(A)(i) of the INA. (*Id.*)

At the bond hearing, it was not disputed that Respondent's detention was governed by §236(a) of the INA. DHS alleged that Respondent is not a danger to the community but is a flight risk.

If a respondent is not properly included under INA § 236(c), they are detained under INA § 236(a) and are entitled to a bond hearing.¹ An Immigration Judge may not redetermine custody status on their own motion and may do so only upon application by a respondent or their representative. *Matter of P-C-M-*, 20 I&N Dec. 432, 434 (BIA 1991). Nevertheless, the rules for applying for a bond determination relate to venue and are not grounds for an Immigration

¹ The Second Circuit held that ICE has the authority to detain a respondent under their statutory immigration authorities despite a bail order under the Bail Reform Act. *United States v. Rosario Ventura*, 96 F.4th 496 (2d Cir. Mar. 22, 2024).

Judge to find that they lack jurisdiction to consider the respondent's application. *Matter of Cerda Reyes*, 26 I&N Dec. 528, 530 (BIA 2015) (citing 8 C.F.R. § 1003.19(c)).

A respondent has the burden of proof in a custody redetermination hearing under section 236(a) of the INA to establish to the satisfaction of the Immigration Judge that they do not pose a danger to persons or property and do not pose a risk of flight. *See* 8 C.F.R. § 1236.1(c)(8); *Matter of Fatahi*, 26 I&N Dec. 791, 793 (BIA 2016); *Matter of Guerra*, 24 I&N Dec. 37, 40 (BIA 2006).

If a respondent demonstrates that they do not pose a danger to the community, an Immigration Judge should continue to a determination regarding the extent of flight risk posed by the respondent. *See Matter of Urena*, 25 I&N Dec. 140, 141 (BIA 2009) (citing 8 C.F.R. § 1236.1(c)); *Drysdale*, 20 I&N Dec. at 817-18. General criteria for consideration of bond include a fixed address in the U.S.; length of residence in the U.S.; local family ties and whether the ties may entitle the applicant to reside in the U.S.; record of appearances in court; employment history; criminal record; pending criminal charges; history of immigration violations; attempts to flee prosecution or authorities; manner of entry; membership in community organizations; and immoral acts of participation in subversive activities. *Matter of Guerra*, 24 I&N Dec. 37, 40 (BIA 2006); *see also Matter of Patel*, 15 I&N Dec. 666, 667 (BIA 1976). A grant of relief in removal proceedings does not necessarily outweigh significant adverse factors indicating a flight risk when the grant of relief is not final, as it has been appealed. *See Matter of E-Y-F-G-*, 29 I&N Dec. 103, 104-05 (BIA 2025).

The Court agreed with Respondent's argument that he does not pose a substantial flight risk or a danger to the community. The Court has considered the proof of his employment in the United States as a commercial truck driver, including his New York State commercial driver license and proof that he has filed tax returns in the United States. He also proffered through counsel that he has valid employment authorization based on his pending asylum application. He further submitted proof of good moral character from connections in the United States and a letter from his [REDACTED] in support of this. The Court has also considered that he currently has a timely-filed pending Form I-589, Application for Asylum and for Withholding of Removal and that he is not subject to the Circumvention of Lawful Pathways Rule.

Thus, Respondent met his burden of proof to establish that he does not pose a danger to the community or risk to national security there is nothing in this record before this court to demonstrate otherwise. Respondent has been in the United States three years, appears to have complied with the requirements of the removal case, has duly secured employment authorization, is a commercial driver, and has ties to the community. The only negative is his manner of entry into the country.

Based on the relevant factors, the Court determined that a \$5,000 immigration bond was appropriate to ensure Respondent's appearance at any future hearings, as well as to report for removal should he potentially not be successful with his applications to remain in the U.S.

ERIC SCHULTZ Digitally signed by ERIC
SCHULTZ
Date: 2025.07.17 17:47:54
-04'00'

Eric W. Schultz
Immigration Judge

Dated: 7/17/2025

RE: KHOPERIA, ZAZA

File:



CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL PERSONAL SERVICE ELECTRONIC SERVICE
TO: ALIEN ALIEN c/o Custodial Officer ALIEN's ATT/REP DHS
DATE: July 21, 2025 BY: COURT STAFF /s/mak
Attachments: EOIR-33 EOIR-28 Legal Services List Other

C1

Exhibit D



U.S. Department of Justice

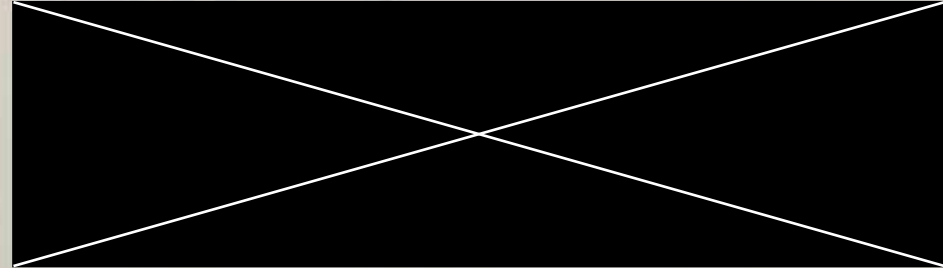
Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041



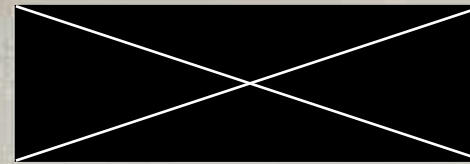
KHOPERIA, ZAZA



DHS/ICE Office of Chief Counsel - BTV
4250 Federal Dr.
Batavia NY 14020

Name: KHOPERIA, ZAZA

A



Date of this Notice: 02/18/2026

Enclosed is a copy of the Board's decision in the above-referenced case. If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of this decision.

Sincerely,

John Seiler
Acting Chief Clerk

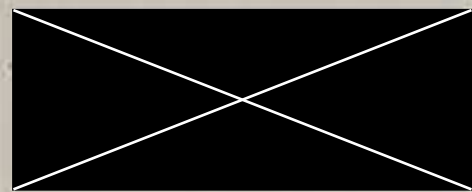
Enclosure

Userteam: Docket

NOT FOR PUBLICATION

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

MATTER OF:

Zaza KHOPERIA, 
Respondent

FILED
Feb 18, 2026

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Peter J. Marché, Assistant Chief Counsel

IN BOND PROCEEDINGS
On Appeal from a Decision of the Immigration Court, Batavia, NY

Before: Owen, Appellate Immigration Judge

OWEN, Appellate Immigration Judge

The Department of Homeland Security ("DHS") appeals from the Immigration Judge's March 12, 2025, order granting the respondent's request for release on bond. The Immigration Judge's order is accompanied by a July 17, 2025, bond memorandum. In light of intervening precedent, the appeal will be sustained and the Immigration Judge's order will be vacated.

We review the findings of fact, including the determination of credibility, made by the Immigration Judge under the "clearly erroneous" standard. 8 C.F.R. § 1003.1(d)(3)(i). We review all other issues, including issues of law, discretion, or judgment, under the de novo standard. 8 C.F.R. § 1003.1(d)(3)(ii).

The record reflects that the respondent is charged with removability as an alien who is present in the United States without having been admitted or paroled (IJ at 1; Bond Ex. 2, Tab A). Subsequent to the Immigration Judge's decision, the Board held in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), that authority does not exist for Immigration Judges to consider bond requests from such persons. Therefore, we will sustain the appeal and vacate the Immigration Judge's order granting bond. *See id.*; 8 C.F.R. § 1003.1(e)(5).

Accordingly, the following order is entered.

ORDER: DHS' appeal is sustained and the Immigration Judge's March 12, 2025, order is vacated.

Exhibit E



Search Results: 1

ZAZA KHOPERIA

Country of Birth : Georgia

A-Number:

Status : In ICE Custody

State: PA

Current Detention Facility: [Philadelphia Federal Detention Center](#)

** Click on the Detention Facility name to obtain facility contact information*

[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](#)



CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
ZAZA KHOPERIA
(b) County of Residence of First Listed Plaintiff Philadelphia
(c) Attorneys (Firm Name, Address, and Telephone Number)
Conor Deane, Palladino, Isbell & Casazza, 1528 Walnut St. Ste. 1701, Philadelphia, PA 19102
(ei) 215-576-9000

DEFENDANTS
Jamal L. Jamison, John Rife
County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)
U.S. Attorney's Office

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Real Estate, Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
8 U.S.C. § 1105 (a); 28 U.S.C. § 2241; 5 U.S.C. § 706(2)(A)
Brief description of cause:
Respondents have unlawfully detained Petitioner

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY
(See instructions): JUDGE DOCKET NUMBER

DATE 4/1/2026 SIGNATURE OF ATTORNEY OF RECORD s/Conor Deane

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Accident, Incident, or Transaction: Philadelphia, PA

RELATED CASE IF ANY: Case Number: Judge:

- 1. Does this case involve property included in an earlier numbered suit? Yes
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit? Yes
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit? Yes
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual? Yes
5. Is this case related to an earlier numbered suit even though none of the above categories apply? Yes
If yes, attach an explanation.

I certify that, to the best of my knowledge and belief, the within case is / is not related to any pending or previously terminated action in this court.

Civil Litigation Categories

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Wage and Hour Class Action/Collective Action
6. Patent
7. Copyright/Trademark
8. Employment
9. Labor-Management Relations
10. Civil Rights
11. Habeas Corpus
12. Securities Cases
13. Social Security Review Cases
14. Qui Tam Cases
15. Cases Seeking Systemic Relief *see certification below*
16. All Other Federal Question Cases. (Please specify):

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify):
7. Products Liability
8. All Other Diversity Cases: (Please specify):

I certify that, to the best of my knowledge and belief, that the remedy sought in this case does / does not have implications beyond the parties before the court and does / does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief:

[X] Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of \$150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

[] None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.