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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Dzhokhar Gutsiev

Petitioner's DHS Number:

Petitioner

v.

Todd Blanche In his official capacity as Acting Attorney General of the United States

Markwayne Mullin, In his official capacity as Secretary of the U.S. Department of Homeland Security;

Todd M. Lyons, In his official capacity as Acting Director Immigration & Customs Enforcement

Rodney S. Scott, in his official capacity as the Commissioner of U.S. Customs and Border Protection

Michael W. Banks in his official capacity as Chief of the United States Border Patrol

Gregory Bovino in his official capacity as the Chief Patrol Agent of the El Centro Sector, U.S. Border Patrol;

Respondents.

Civil Action No. 3:26-cv-02575-JAO-AHG

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

I. INTRODUCTION

1. Petitioner Dzhokhar Gutsiev ("Mr. Gutsiev") brings this Verified Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 to challenge his detention as a violation of the Immigration and Nationality Act ("INA"), the Due Process Clause of the Fifth Amendment and the Administrative Procedure Act.

2. Mr. Gutsiev is a native of the Russian Federation and a citizen of the Russian Federation. He arrived to the United States' southern border on May 29, 2022, to request asylum. He was paroled into the United States on May 30, 2022, in order to pursue his claim for asylum.

3. On June 3, 2022, a United States Citizenship and Immigration Services (USCIS) asylum officer found that Mr. Gutsiev had a credible fear of returning to Russia and a significant possibility that he could established eligibility for asylum in the United States.

4. On June 6, 2022, Immigration and Customs Enforcement initiated removal proceedings against Mr. Gutsiev. He was charged as being an arriving alien.

5. On April 20, 2026, over forty-six (46) months after his parole into the United States, Mr. Gutsiev was abruptly and inexplicably detained by the Department of Homeland Security ("DHS").

6. During the more than forty-six (46) months that he lived in the United States, Mr. Gutsiev was a productive and valuable member of our community. He has never been charged with any crimes or violations, he has never been arrested by law enforcement prior to his current detention, and he has had no other derogatory contact with law enforcement. He was granted employment authorization by Respondents and engaged in gainful employment here in the United Staes.

7. Mr. Gutsiev respectfully seeks a judgment declaring that his detention is unlawful and in violation of the Due Process clause of the Fifth Amendment and the Immigration and Nationality Act.

8. Accordingly, to vindicate Mr. Gutsiev's rights, this Court should grant the instant petition for a writ of habeas corpus and:

    a. declare that Respondents' detention of Mr. Gutsiev is arbitrary, capricious and contrary to law;

b. order Respondents to confirm Mr. Gutsiev's current whereabouts and that Respondents permit Mr. Gutsiev to speak with his attorney;

c. order Mr. Gutsiev's immediate release from custody, under appropriate conditions, or, in the alternative, require that an Immigration Judge conduct an individualized bond hearing within five days; and

d. order Respondents to show cause in writing within three days why the writ should not issue and why the requested relief should not be granted;

II. CUSTODY

9. Mr. Gutsiev is in the physical custody of Respondents. Based on the most recent available information about Mr. Gutsiev's whereabouts, he is last located at Imperial Regional Detention Facility, in Calexico, California.

III. JURISDICTION

10. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S. C. § 1101 et seq.

11. This Court has subject matter jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), the Immigration and Nationality Act, 8 U.S.C. §§ 1101-1537, regulations implementing the INA, the Administrative Procedures Act

("APA"), 5 U.S.C. §§ 701-706, and Article I, section 9, clause 2 of the United States Constitution (Suspension Clause).

12. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et. seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., the All Writs Act, 28 U.S.C. § 1651, and the Immigration and Nationality Act, 8 U.S.C. § 1252(e)(2).

13. Federal district courts have jurisdiction to hear habeas claims by noncitizens challenging the lawfulness or constitutionality of DHS conduct. Federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252. See e.g., Zadvydas v. Davis, 533 U.S. 678, 687 (2001); Demore v. Kim, 538 U.S. 510, 516–17 (2003).

14. Mr. Gutsiev is challenging how DHS detained him in the interior of the United States, after he was lawfully admitted and paroled. "Federal courts are not precluded from reviewing 'how' Respondents exercise their discretion and determining whether such exercise is violative of the Constitution or federal law." *E.V. v. Raycraft*, No. 4:25-CV-2069, 2025 WL 3122837, at *6 (N.D. Ohio Nov. 7, 2025).

A. Subject Matter Jurisdiction

15. This Court has subject matter jurisdiction over claims related to detention and constitutional violations. A federal court has subject matter jurisdiction under § 2241(c)(3) if two requirements are met: (1) the applicant is "in custody," and (2) the custody is "in violation of the Constitution or laws or treaties of the United States.", 28 U.S.C. § 2241(c)(3); *see also Martinez v. Ceja*, 760 F. Supp. 3d 1188, 1191–92 (D. Colo. 2024); *Maleng v. Cook*, 490 U.S. 488, 490 (1989).

16. District courts retain jurisdiction under 28 U.S.C. § 2241 to consider habeas challenges to immigration detention that are sufficiently independent of the merits of the removal order, *Lopez-Marroquin v. Barr,* 955 F.3d 759 (9th Cir. 2020).

17. Furthermore, Mr. Gutsiev challenges the legality of DHS's re-detention under the Immigration and Nationality Act. "The question of whether section 1225(b)(2) or section 1226(a) governs Petitioner's detention is a question of statutory interpretation squarely within the Court's jurisdiction." *EDUARDO DUVALLON BOFFILL, Petitioner, v. FIELD OFFICE DIRECTOR, Miami Field Off., U.S. Immigr. & Customs Enf't, et al., Respondents.*, No. 25-CV-25179-JB, 2025 WL 3246868, at *6 (S.D. Fla. Nov. 20, 2025).

18. Finally, Mr. Gutsiev challenges Respondents' final action against him to revoke his §1182(d)(5) parole and subject him to mandatory detention. This action denied him his rights as a consummation of the administrative process and imposes practical obligations on him and has legal consequences. *Noori v. LaRose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *12 (S.D. Cal. Oct. 1, 2025).

19. Mr. Gutsiev alleges that Respondents acted arbitrarily, capriciously, abused their discretion, [and] otherwise failed to comply with law. *Y-Z-L-H v. Bostock*, 792 F. Supp. 3d 1123, 1144 (D. Or. 2025), citing 5 U.S.C. §§ 702 and 706(2). Because Respondent's failed to comply with the requirements of 8 CFR §212.5(e), their actions violated the relevant requirements of the Administrative Procedure Act and this Court has jurisdiction to consider Mr. Gutsiev's claims.

20. No petition for a writ of habeas corpus has previously been filed in any court regarding Mr. Gutsiev.

IV. VENUE

21. Venue is proper in this District under 28 U.S.C. 1391 and 28 U.S.C. 2242 because at least one Respondent is in this District, based on the most recent available information, Mr. Gutsiev is detained in this District, Mr. Gutsiev's immediate physical custodian is located

in this District, and a substantial part of the events giving rise to the claims in this action took place in this District. See generally *Rumsfeld v. Padilla*, 542 U.S. 426, 434 (2004) ("the proper respondent to a habeas petition is 'the person who has custody over the petitioner'") (citing *28 U.S.C. §2242*) (cleaned up). In addition, no real property is involved in this matter.

V. PARTIES

22. Petitioner Dzhokhar Gutsiev is currently detained by Respondents at the Imperial Regional Detention Facility, located in Calexico, California. He has been in DHS custody since on or about April 20, 2026.

23. Respondent Todd Blanche is the Attorney General of the United States and leads the U.S. Department of Justice. He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

24. Respondent Markwayne Mullin, is the Secretary of the U.S. Department of Homeland Security. He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

25. Respondent Todd M. Lyons is the Acting Director of Immigration and Customs Enforcement. He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

26. Respondent Rodney S. Scott, is the Commissioner of U.S. Customs and Border Protection. . He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

27. Respondent Michael W. Banks is the Chief of the United States Border Patrol. He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

28. Respondent Gregory Bovino is the Chief Patrol Agent of the El Centro Sector, U.S. Border Patrol. He is a legal and physical custodian of Mr. Gutsiev and is named in his official capacity.

29. Respondent Gregory J. Archambeault is the Field Office Director for ICE Enforcement and Removal Operations Office in San Diego, Califronia. He is a legal custodian of Mr. Gutsiev and is named in his official capacity.

30. Respondent Jeremy Casey Facility Administrator at Imperial Regional Detention Facility. He is a legal and physical custodian of Mr. Gutsiev and is named in his official capacity.

VI. REQUIREMENTS OF 28 U.S.C. § 2241, 2243

31. The writ of habeas corpus is "the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action." *Harris v. Nelson*, 394 U.S. 286, 290–91 (1969).

32. A federal court may grant habeas relief where a petitioner is "in custody in violation of the Constitution or laws or treaties of the United States." *28 U.S.C. § 2241(c)(3)*. Section 2241 is the traditional vehicle for challenging the legality of immigration detention, including detention alleged to violate the Due Process Clause. See, e.g., *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003); *INS v. St. Cyr*, 533 U.S. 289 (2001).

33. The court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the Respondents "forthwith," unless the Mr. Gutsiev is not entitled to relief. *28 U.S.C. § 2243*. If an OSC is issued, the court must require the Respondents to file a return "within three days unless for good cause, additional time, not exceeding twenty days, is allowed." *Id.*

34. Habeas corpus is "perhaps the most important writ known to 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); see also *Van Buskirk v. Wilkinson*, 216 F.2d 735, 737–38 (9th Cir. 1954) (habeas corpus is "a speedy remedy, entitled by statute to special, preferential consideration to insure expeditious hearing and determination").

35. In this case, the Court should grant the petition for writ of habeas corpus "forthwith," and order Respondents to file a return within three days, as Respondents failed to comply with the statutory and regulatory requirements governing parole termination, and arrested and detained Mr. Gutsiev in violation of the Immigration and Nationality Act and Petitioner's Due Process Rights under the Fifth Amendment.

VII. EXHAUSTION

36. It is appropriate to excuse any exhaustion of remedies requirement for Mr. Gutsiev because exhaustion would exacerbate the irreparable harm that he is suffering, would be futile, and there are no administrative remedies available to address his constitutional and statutory challenges to his detention.

37. "In the context of a habeas petition, exhaustion is a prudential requirement. A court may waive the exhaustion requirement on a habeas petition if administrative remedies are inadequate or not efficacious, pursuit of administrative remedies would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void." *Maksim Zaitsev, Petitioner, v. Warden, Adelanto ICE Processing Ctr., et. al. Respondents.*, No. 2:26-CV-00454-SPG-AS, 2026 WL 391429, at *10 (C.D. Cal. Feb. 9, 2026). *See also McCarthy v. Madigan, 503 U.S. 140, 147 (1992).*

38. Because Mr. Gutsiev "ultimately raises a constitutional challenge in his habeas petition, an area over which the Immigration Court and the BIA lack any authority to adjudicate, thereby rendering appeal to those bodies futile" exhaustion would not be appropriate in this instance. *Garcia v. Hyde*, No. 25-CV-585-JJM-PAS, 2025 WL 3466312, at *7 (D.R.I. Dec. 3, 2025). The fundamental question presented by this petition is whether 8 U.S.C. § 1225 or 8 U.S.C. § 1226 applies to the Petitioner's detention, which is a purely legal

question of statutory interpretation which would not be impacted by any administrative record developed in immigration court or on appeal to the BIA.

39. Furthermore, requiring exhaustion would exacerbate the irreparable harm that Mr. Gutsiev's detention is causing him. "Irreparable harm may be established where a petitioner will be incarcerated or detained pending the exhaustion of administrative remedies." *Sampiao v. Hyde*, 799 F. Supp. 3d 14, 25 (D. Mass. 2025), *quoting Portela-Gonzalez v. Sec'y of the Navy,* 109 F.3d 74, 77 (1st Cir. 1997)[internal quotations omitted for clarity].

40. Finally, exhaustion of any administrative remedies would be futile. Within the context of his removal proceedings Respondents take the position that Mr. Gutsiev is subject to mandatory detention pursuant to 8 USC §1225, and that the Immigration Court has no jurisdiction to consider bond.

41. Respondents will either take the position that Mr. Gutsiev cannot request bond because he is currently classified as an arriving alien, and the Immigration Court cannot consider bond for him. *8 C.F.R. § 1003.19(h)(2)(i)(B).*

42. Otherwise, Respondents will take the position that Mr. Gutsiev is subject to indefinite, mandatory detention and is ineligible for a bond hearing before an immigration judge pursuant to BIA precedential decisions in *Matter of Q. Li* and *Matter of Yajure-Hurtado*

43. Exhaustion would be futile in light of *Q. Li* and *Hurtado. See E-M-* v. *Noem*, No. 25-cv-03975-SRN-DTS, 2025 WL 3157839, at *2, fn. 1 (D. Minn. Nov. 12, 2025) (citing with favor *Ortiz* v. *Freden*, --- F. Supp. 3d ---, No. 25-CV-960-LJV, 2025 WL 3085032, at *5 (W.D.N.Y. Nov. 4. 2025) (finding exhaustion of remedies would be futile, even if petitioner had not exhausted his remedies). Immigration judges would be obliged to follow *Hurtado* or *Q. Li*'s rulings on the scope of § 1225(b)(2)(A).

44. This Honorable Court is not bound by and is not required to give deference to any agency interpretation of a statute. *See Loper Bright Enter. v. Raimondo*, 603 U.S. 369, 413 (2024) (holding that federal judges are not required to, and pursuant to the Administrative

Procedure Act (the "APA"), are not to defer to an agency interpretation of the law simply because a statute is ambiguous, as that is the role of the federal courts).

45. Thus, requiring prudential exhaustion is a futile exercise, and will only result in extending Mr. Gutsiev's unlawful detention.

VIII. STATEMENT OF FACTS

46. Mr. Gutsiev is 29-years-old, Russian citizen and an ethnic Chechen. (See Exhibit A). He fled Russia in May of 2022, and came to the United States, fleeing persecution in his country of citizenship, the Russian Federation, on account of torture and persecution he experienced.

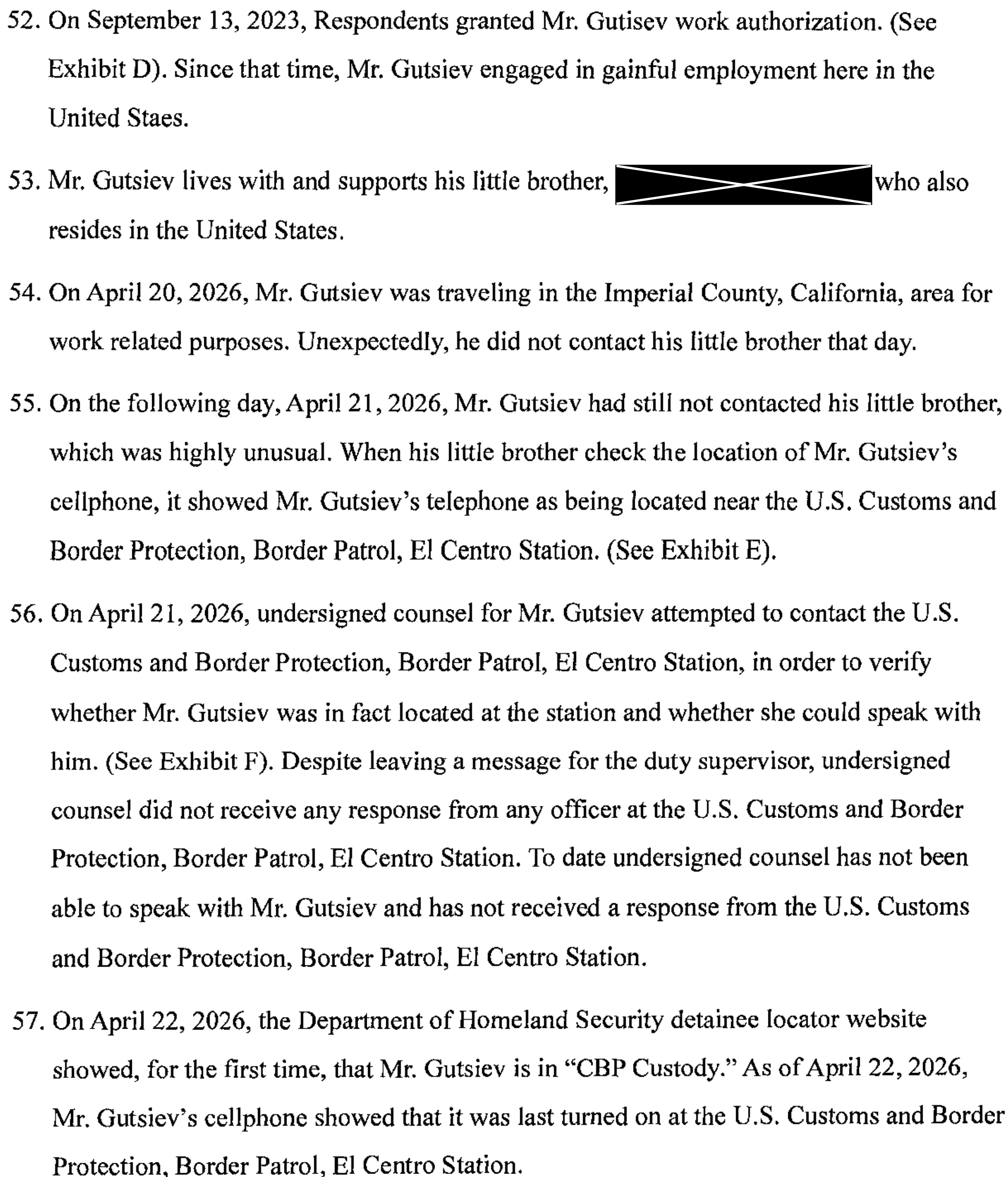
47. On May 3, 2022, Mr. Gutsiev was paroled into the United States, pursuant to 8 USC §1182(d)(5) to pursue his asylum claim and for humanitarian reasons. (See Exhibit B).

48. Mr. Gutiev's credible fear interview took place on June 3, 2022. At the conclusion of the interview, the USCIS asylum officer found that Mr. Gutsiev had a credible fear of persecution if he returned to Russia. This meant that Mr. Gutsiev had demonstrated "a significant possibility, taking into account the credibility of the statements made by the alien in support of the alien's claim and such other facts as are known to the officer, that the alien can establish eligibility for asylum." *8 CFR §208.30(e)(2).*

49. On June 6, 2022, the Department of Homeland Security initiated removal proceedings against Mr. Gutsiev. (See Exhibit C). Mr. Gutsiev diligently hired an attorney and dutifully participated in his removal proceedings.

50. He timely filed his defensive application for asylum with the Executive Office of Immigration Review on March 16, 2023. Accordingly, he fulfilled all of his requirements to pursue his request for asylum in the United States.

51. During over forty-six (46) months that Mr. Gutsiev resided in the United States, was a productive and valuable member of our community. He has never been charged with any



crimes or violations, he has never been arrested by law enforcement prior to his current detention, and he has had no other derogatory contact with law enforcement.

52. On September 13, 2023, Respondents granted Mr. Gutisev work authorization. (See Exhibit D). Since that time, Mr. Gutsiev engaged in gainful employment here in the United Staes.

53. Mr. Gutsiev lives with and supports his little brother, who also resides in the United States.

54. On April 20, 2026, Mr. Gutsiev was traveling in the Imperial County, California, area for work related purposes. Unexpectedly, he did not contact his little brother that day.

55. On the following day, April 21, 2026, Mr. Gutsiev had still not contacted his little brother, which was highly unusual. When his little brother check the location of Mr. Gutsiev's cellphone, it showed Mr. Gutsiev's telephone as being located near the U.S. Customs and Border Protection, Border Patrol, El Centro Station. (See Exhibit E).

56. On April 21, 2026, undersigned counsel for Mr. Gutsiev attempted to contact the U.S. Customs and Border Protection, Border Patrol, El Centro Station, in order to verify whether Mr. Gutsiev was in fact located at the station and whether she could speak with him. (See Exhibit F). Despite leaving a message for the duty supervisor, undersigned counsel did not receive any response from any officer at the U.S. Customs and Border Protection, Border Patrol, El Centro Station. To date undersigned counsel has not been able to speak with Mr. Gutsiev and has not received a response from the U.S. Customs and Border Protection, Border Patrol, El Centro Station.

57. On April 22, 2026, the Department of Homeland Security detainee locator website showed, for the first time, that Mr. Gutsiev is in "CBP Custody." As of April 22, 2026, Mr. Gutsiev's cellphone showed that it was last turned on at the U.S. Customs and Border Protection, Border Patrol, El Centro Station.

58. In the early morning of April 23, 2026, then Petitioner first filed his verified petition, the Department of Homeland Security detainee locator website continues to show that Mr. Gutsiev is in "CBP Custody."

59. Later in the day on April 23, 2026, the Department of Homeland Security detainee locator website began to show Mr. Gutsiev in Respondents custody and being held at the Imperial Regional Detention Facility.

60. Mr. Gutsiev was arrested without a warrant and without an individualized assessment regarding whether he poses a danger to any person or property, or whether he is a flight risk. His parole was revoked, also without an individualized assessment.

IX. LEGAL FRAMEWORK

A. Mr. Gutsiev's re-detention violated his inherent Due Process Rights

61. Mr. Gutsiev's re-detention, by DHS, over forty-six (46) months after he was inspected and paroled by DHS at the southern United States border, is a due process violation because it arbitrarily and unjustifiably infringed on his fundamental liberty interest.

62. "[T]he Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). "Due process . . . is a flexible concept that varies with the particular situation." *Zinermon v. Burch*, 494 U.S. 113, 127(1990).

63. First, "[t]he touchstone of due process is protection of the individual against arbitrary action of government," *Wolff v. McDonnell*, 418 U.S. 539, 558 (1974), including "the exercise of power without any reasonable justification in the service of a legitimate government objective," *Cnty. of Sacramento v. Lewis*, 523 U.S. 833, 846 (1998).

64. These protections extend to noncitizens facing detention, as "[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." *United States v. Salerno*, 481 U.S. 739, 755 (1987). Accordingly, "[f]reedom from

imprisonment—from government custody, detention, or other forms of physical restraint —lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas*, 533 U.S. at 690.

65. The procedural component of the Due Process Clause prohibits the government from imposing even permissible physical restraints without adequate procedural safeguards. Federal District Courts "regularly applied *Mathews* to due process challenges to removal proceedings. *Doe v. Moniz*, 800 F. Supp. 3d 203, 216 (D. Mass. 2025) (citing *Mathews v. Eldridge*, 424 U.S. 319 (1976)). Under the *Mathews* test, this Court must weigh: (1) the private interest affected; (2) the risk of erroneous deprivation and probable value of procedural safeguards; and (3) the government's interest. *Rincon v. Hyde,* 810 F. Supp. 3d 101, 115 (D. Mass. 2025).

66. Mr. Gutsiev has an inherent private liberty interest granted to him by the Fifth Amendment Due Process Clause when Respondents released and paroled him into the United States pursuant to 8 USC §1182(d)(5)(A). *Pruitt v. Heimgartner*, 620 F. App'x 653, 657 (10th Cir. 2015) (quoting *Boutwell v. Keating*, 399 F.3d 1203, 1212 (10th Cir. 2005)). "Because [Mr. Gutsiev] was initially paroled into this country for the purpose of seeking asylum, he was present in the country lawfully and has a significant liberty interest in remaining free from detention that must be protected by adequate procedural safeguards" *Magomed Mumaev, Petitioner, V. Fereti Semaia, Et Al., Respondents.*, No. 5:25-CV-03409-FLA (MAR), 2026 WL 530765, at *5 (C.D. Cal. Feb. 20, 2026)

67. Mr. Gutsiev's more than forty-six (46) months, non-confined residence in the United States "crystallize[d]" into a protected liberty interest because Mr. Gutsiev "'reasonably thought the release was deliberate and lawful.'" *Guillermo M. R. v. Kaiser*, 791 F. Supp. 3d 1021, 1030 (N.D. Cal. 2025), quoting *Hurd v. D.C., Gov't,* 864 F.3d 671, 683–84 (D.C. Cir. 2017). The forty-six (46) months is enough time to "afforded [Mr. Gutsiev] the Fifth Amendment's guaranteed due process before removal." *Perez v. LaRose*, No. 3:25-CV-02620-RBM-JLB, 2025 WL 3171742, at *4 (S.D. Cal. Nov. 13, 2025) citing *Noori v. LaRose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *10 (S.D. Cal. Oct. 1, 2025).

68. Even without having been paroled by DHS, Mr. Gutsiev has an interest in being "free from physical detention" by virtue of having been given access to reside in the United States. *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

69. Mr. Gutsiev's current detention erroneously deprives him of his fundamental liberty interest. Respondents did not implement any procedures or protections at all at the time they detained Mr. Gutsiev to revoke his parole (which he was granted pursuant to 8 USC §1182(d)(5)), to determine whether changed circumstances, or any circumstances at all warranted detaining Mr. Gutisev after he had been residing in the United States for over forty-six (46) months.

70. Mr. Gutsiev's initial inspection, release and parole by DHS pursuant to 8 USC §1182(d)(5) in May of 2022 "reflects a determination by the government that [he] is not a danger to the community or a flight risk." *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1176 (N.D. Cal. 2017), aff'd sub nom. *Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th Cir. 2018). "Where the release decision was made by a DHS officer, not an immigration judge, the Government's practice has been to require a showing of changed circumstances before re-arrest." *C.A.R.V. v. Wofford*, No. 1:25-CV-01395 JLT SKO, 2025 WL 3059549, at *3 (E.D. Cal. Nov. 3, 2025) citing *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017); *See also Salinas v. Woosley*, No. 4:25-CV-121-DJH, 2025 WL 3243837, at *4 (W.D. Ky. Nov. 20, 2025).

71. Mr. Gutsiev's inherent private liberty interest that he obtained when he entered the territory of the United States is ongoing and does not expire until the purpose of his parole has been served. *Young v. Harper*, 520 U.S. 143, 147–149, 152-153 (1997). See also *Rodriguez v. Kaiser, No. 1:25-CV-01111-KES-SAB (HC)*, 2025 WL 2855193, at *6 (E.D. Cal. Oct. 8, 2025). "That the express terms of the parole notice allowed for discretionary termination or expiration does not somehow obviate the need for the

Government to provide a individualized hearing prior to re-detaining the parolee. . . .Once established, [Mr. Gutsiev's] interest in liberty is a constitutional right which may only be revoked through methods that comport with due process, such as a hearing in front of a neutral party to determine whether [Mr. Gutsiev]'s re-detainment is warranted." *Ramirez Tesara v. Wamsley*, No. 2:25-CV-01723-MJP-TLF, 2025 WL 2637663, at *3 (W.D. Wash. Sept. 12, 2025).

72. Mr. Gutsiev's re-detention after parole, without any notice or individualized determination regarding whether such re-detention is warranted, or opportunity to contest his detention, constitutes an erroneous deprivation of his inherent liberty interest:

> Petitioner was neither arrested pursuant to a warrant, as required by 8 U.S.C. § 1226(a), nor provided written notice of the termination of his parole and an opportunity to be heard before he was re-detained, as required by 8 C.F.R. § 212(e)(2). Respondents have not identified any evidence to suggest the purpose for which parole was authorized (i.e., release on humanitarian grounds while Petitioner's Asylum Application was pending) has been accomplished, or that a qualifying official has determined that neither humanitarian reasons nor public benefit warrant Petitioner's continued presence in the United States, as required under 8 C.F.R. § 212.5(e)(2). Additionally, Respondents held Petitioner in detention for over six months before he received a bond hearing, and he remains detained in their custody to this day—even though his parole does not appear to have been revoked validly. Petitioner, thus, appears to have been deprived of his liberty interest erroneously based on Respondents' failure to comply with the INA, applicable federal regulations, and Petitioner's rights under the Due Process Clause.Respondents argue due process was satisfied because Petitioner was granted a bond hearing before the Immigration Court . . . .The Immigration Court's decision to deny bond six months after Petitioner was arrested and re-detained, however, cannot support Petitioner's continued detention when the underlying arrest, revocation of parole, and re-detention were in violation of Petitioner's due process rights and, thus, invalid.

Mumaev., No. 5:25-CV-03409-FLA (MAR), 2026 WL 530765, at *5–6 (C.D. Cal. Feb. 20, 2026)

73. Due process requires not only "changed circumstances" but also "evidence of urgent concerns," if Respondents seek to re-detain a person without a hearing. See *Guillermo M. R. v. Kaiser*, 791 F. Supp. 3d 1021, 1036 (N.D. Cal. 2025) ("absent evidence of urgent concerns, a pre-deprivation hearing is required to satisfy due process, particularly where an individual has been released on bond by an IJ") (emphasis added). *Rodriguez v. Kaiser*, No. 1:25-CV-01111-KES-SAB (HC), 2025 WL 2855193, at *7 (E.D. Cal. Oct. 8, 2025) (concluding that, "given the absence of evidence of urgent concerns . . . a pre-deprivation hearing [was] required to satisfy due process," and collecting cases); *Y.M.M. v. Wamsley*, No. 2:25-cv-02075, 2025 U.S. Dist. LEXIS 219064, at *5 (W.D. Wash. Nov. 6, 2025) ("Numerous courts in this district and throughout the Ninth Circuit have recognized this requirement" of a pre-deprivation hearing, "absent evidence of urgent concerns").

74. The legal principle is clear: Once the government makes the release determination, the individual has a liberty interest that cannot be taken away without a hearing—unless an "urgent" "change of circumstances" makes such a pre-deprivation hearing infeasible.

75. As to the third *Matthews* factor, DHS has "no legitimate interest that would support [detaining Mr. Gutsiev] without a pre-detention hearing." *Ramirez Tesara v. Wamsley*, No. 2:25-CV-01723-MJP-TLF, 2025 WL 2637663, at *4 (W.D. Wash. Sept. 12, 2025). They cannot prove an evidentiary, administrative or financial burden that would overcome Mr. Gutsiev's Fifth Amended Due Process Right. *Noori v. LaRose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *11 (S.D. Cal. Oct. 1, 2025)

76. Overall, "there is no countervailing government interest . . . that supports conducting a bond hearing only after [Mr. Gutsiev] has been detained, rather than in advance thereof." *Pinchi v. Noem*, 792 F. Supp. 3d 1025, 1036 (N.D. Cal. 2025).

77. DHS has a low interest in detaining Mr. Gutsiev without basic due process protections, such as a pre-detention hearing. *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D. Cal. 2019).

78. "Respondents fail to establish the government has any interest in allowing Respondents to arrest Petitioner, revoke his parole, and re-detain him without complying with the requirements of §§ 1226(a) and 212(e)(2). Respondents, similarly, do not offer any argument or explanation for why Petitioner could not have been provided with notice and an opportunity to be heard *before* his parole was revoked and he was re-detained. . .. Respondents, thus, fail to establish the government has any interest in Petitioner's continued detention." *Mumaev.*, No. 5:25-CV-03409-FLA (MAR), 2026 WL 530765, at *6 (C.D. Cal. Feb. 20, 2026)

B. Mr. Gutsiev's re-detention violated the Immigration and Nationality Act

79. Mr. Gutsiev is not subject to mandatory detention pursuant to either of the provisions of 8 USC §1225(b), because he was inspected and paroled to the United States pursuant to a grant of humanitarian parole and issued an I-94 document. Also, he had a credible fear interview and was found to have a credible fear of returning to Russia, meaning Mr. Gutsiev cannot be now placed in expedited removal proceedings.

80. The fact that Mr. Gutsiev was issued parole by ICE pursuant to 8 USC §1182(d)(5), after receiving a positive finding of credible fear in his expedited removal proceedings, means that Mr. Gutsiev cannot be subject to mandatory detention pursuant to 8 USC 1225(b)(1). "This Court holds that neither the Arriving Aliens Provision nor the Designation Provision of Section 1225(b)(1) authorizes expedited removal and the detention of noncitizens who . . . were paroled into the United States under Section 1182(d)(5)(A). In doing so, it joins other district courts that have reached this same conclusion." *Rodriguez-Acurio v. Almodovar*, No. 2:25-CV-6065 (NJC), 2025 WL 3314420, at *14 (E.D.N.Y.

Nov. 28, 2025), *citing Coal. for Humane Immigrant Rts. v. Noem,* 805 F. Supp. 3d 48, 83 (D.D.C. 2025).

81. Nor can Respondents argue that Mr. Gutsiev is detained pursuant to 8 USC §1225(b)(2), because he was not seeking admission at the time that he was detained by Respondents:

> In addition to a recent opinion of this Court by Chief Judge Walker, Rodrigues De Oliveira, 2025 WL 1826118, nearly all district courts that have considered this issue have, after conducting persuasive, well-reasoned analyses of the statutory language and legislative history, rejected the Government's broad interpretation of section 1225(b)(2). . . .The plain language of the statutes themselves largely compels the conclusion that section 1226(a) applies to petitioners and like individuals. . . .The term "seeking admission" in the statute is written in the present tense and indicates the use of a present-tense action. In the context of an "applicant for admission," the active language implies that the noncitizen is actively engaged in the exercise of being admitted to the United States, rather than currently residing here and seeking to stay. Such an interpretation comports with other immigration regulations, which define an "[a]rriving [noncitizen]" as "an applicant for admission coming or attempting to come into the United States.

Chogllo Chafla v. Scott, 804 F. Supp. 3d 247, 256–57 (D. Me. 2025), citing United States v. Abbas, 100 F.4th 267, 283 (1st Cir. 2024); United States v. Wilson, 503 U.S. 329, 333, 112 S.Ct. 1351, 117 L.Ed.2d 593 (1992); and Martinez v. Hyde, 792 F. Supp. 3d 211, 218 (D. Mass. 2025).

82. When interpreting the meaning of "*seeking admission*" used in 8 USC §1225(b)(2)(A), most of the district courts throughout the United States have now concluded that the phrase "seeking admission" in 8 USC §1225(b)(2)(A), "'implies action — something that is currently occurring, and...would most logically occur at the border upon inspection.'" *Puga v. Assistant Field Off. Dir., Krome N. Serv. Processing Ctr.*, No. 25-24535-CIV, 2025 WL 2938369, at *4 (S.D. Fla. Oct. 15, 2025), *quoting Lopez-Campos v. Raycraft,* No. 2:25-cv-12486, 2025 WL 2496379, at *6 (E.D. Mich. Aug. 29, 2025).

83. "From this statutory . . . relationship between § 1225(b)(1) and § 1225(b)(2), the Court sees Congress' intent as tying the concept of an 'applicant for admission' to inspection rather than to a freestanding status untethered from the inspection context . . . . Section

1225(b)(2)(A) distinguishes between the legal status of being an applicant for admission and the act of seeking admission.. . ." *Singh v. Noem*, No. CIV 25-1110 JB/KK, 2026 WL 146005, at *20-21 (D.N.M. Jan. 20, 2026). *See also Garcia Domingo v. Castro*, No. 1:25-CV-00979-DHU-GJF, 2025 WL 2941217, at *4 (D.N.M. Oct. 15, 2025) ("He was in Homestead, Florida, on his way to work. Petitioner had also not just arrived, or even recently arrived, to the United States.").

84. Respondents cannot argue that Mr. Gutsiev's detention is justified pursuant to 8 USC 1225(b).

C. Termination of Mr. Gutsiev's parole violated the Administrative Procedure Act, Immigration and Nationality Act and applicable regulations

85. Respondents arrest and re-detention of Mr. Gutsiev effectively prematurely terminated his parole which he received on May 30, 2022.

86. Mr. Gutsiev was paroled into the United States at the border after he presented to immigration officials and requested to apply for asylum in the United States. He was issued an I-94 document, which documented his parole. Mr. Gutsiev's parole pursuant to 8 USC §1182(d)(5) is for the purpose of his seek asylum.

87. Under the Administrative Procedure Act a reviewing court *shall* set aside any agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." *5 U.S.C. § 706(2)(a)*; *see also Luz Loaiza Arias, Petitioner, v. Christopher Larose, Warden, Otay Mesa Det. Ctr., et al*, No. 3:25-CV-02595-BTM-MMP, 2025 WL 3295385, at *2 (S.D. Cal. Nov. 25, 2025).

88. "[T]he touchstone of 'arbitrary and capricious' review under the APA is 'reasoned decision making.' '[T]he agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made.'" *Magomed Mumaev, Petitioner, v. Fereti Semaia, et al., Respondents.*, No. 5:25-CV-03409-FLA (MAR), 2026 WL 530765, at *6 (C.D. Cal. Feb. 20, 2026), quoting *Altera Corp. & Subsidiaries v. Comm'r of Internal Revenue,* 926 F.3d

1061, 1080 (9th Cir. 2019) and *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983)

89. DHS must "articulate[] a satisfactory explanation for its action, including" providing a "rational connection between" their decision to grant Mr. Gutsiev parole in November of 2022 and subsequently revoke Mr. Gutsiev's parole in March of 2025. *Perez v. LaRose*, No. 3:25-CV-02620-RBM-JLB, 2025 WL 3171742, at *6 (S.D. Cal. Nov. 13, 2025); *LUZ LOAIZA ARIAS, Petitioner, v. CHRISTOPHER LAROSE, Warden, Otay Mesa Det. Ctr., et al*, No. 3:25-CV-02595-BTM-MMP, 2025 WL 3295385, at *2 (S.D. Cal. Nov. 25, 2025), quoting *Altera Corp. & Subsidiaries v. Comm'r of Internal Revenue*, 926 F.3d 1061, 1080 (9th Cir. 2019).

90. Although the Attorney General's parole authority is discretionary, it is not without limits by mandatory guidelines. "Revocation of humanitarian parole has additional limitations under law." *Noori v. LaRose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *13 (S.D. Cal. Oct. 1, 2025). To terminate the previously granted parole, Respondents must comply with the applicable regulatory requirements set forth in 8 C.F.R. § 212.5(e)(2)(i).

91. Section 1182(d)(5) "is a grant of discretionary authority, but it has a mandatory requirement—parole may be terminated or revoked only when in the Secretary's opinion the parole's purposes have been met. . . Agency action is not 'specified ... to be in the discretion' of the official where the action 'was not performed in accordance with the mandatory ... procedures.'" *Y-Z-L-H v. Bostock*, 792 F. Supp. 3d 1123, 1137–38 (D. Or. 2025), *quoting Sharkey v. Quarantillo, 541 F.3d 75, 86 (2d Cir. 2008).*

92. "Under the governing regulation, [§ 1182(d)(5)(A)] parole may be terminated only if the purpose of parole is accomplished, or humanitarian reasons and the public benefit no longer warrant parole." *Loaiza Arias v. LaRose*, No. 3:25-cv-02595-BTM-MMP, 2025 WL 3295385, at *3 (S.D. Cal. Nov. 25, 2025) (citing 8 C.F.R. § 212.5(e)); *Dorvis Jesus Rodriguez Martinez, v. Raycraft et al.,* No. 1:25-CV-1504, 2025 WL 3511093, at *5 (W.D. Mich. Dec. 8, 2025).

93. At the time that Respondents detained Mr. Gutsiev, effectively revoking his parole, he was still pursuing his application for asylum in the United States, therefore the purpose of his parole had not been accomplished.

94. The abrupt and unjustified termination of Mr. Gutsiev's parole is not warranted under the regulations. "Petitioner was paroled into the United States based on his intent to seek asylum—the purpose of his parole. He applied for asylum and was still in the middle of those proceedings when Respondents issued and executed the revocation." *Noori v. LaRose*, No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *13 (S.D. Cal. Oct. 1, 2025); *see also*. "Moreover, there is nothing before the Court to suggest that the humanitarian reason or public benefit that justified Petitioner's parole no longer applies." *Dorvis Jesus Rodriguez Martinez, v. Raycraft et al.,* No. 1:25-CV-1504, 2025 WL 3511093, at *5 (W.D. Mich. Dec. 8, 2025).

95. Furthermore, Mr. Gutsiev was re-detained without an individualized assessment of whether he warrants a termination of his parole. *Dorvis Jesus Rodriguez Martinez, v. Raycraft et al.,* No. 1:25-CV-1504, 2025 WL 3511093, at *5 (W.D. Mich. Dec. 8, 2025), citing *Mata Velasquez v. Kurzdorfer*, 794 F. Supp. 3d 128, 146 (W.D.N.Y. 2025).

96. Mr. Gutsiev's parole also could not be revoked because it no longer served the public benefit or humanitarian reasons. *Perez v. LaRose*, No. 3:25-CV-02620-RBM-JLB, 2025 WL 3171742, at *6 (S.D. Cal. Nov. 13, 2025). There is no evidence that since he was granted parole in May of 2022, Mr. Gutsiev became a flight risk or a danger to the public. "According to the 'Parole Directive' issued by DHS in 2009, if an asylum-seeker establishes her identity and that she presents neither a flight risk nor a danger to the public, her detention is not in the public interest, and thus ICE should, absent additional factors ... parole the [noncitizen]." *Perez v. LaRose*, No. 3:25-CV-02620-RBM-JLB, 2025 WL 3171742, at *6 (S.D. Cal. Nov. 13, 2025), *quoting Mons v. McAleenan,* Civil Action No. 19-1593 (JEB), 2019 WL 4225322, at *2 (D.D.C. Sept. 5, 2019)(internal quotations omitted for clarity).

97. Because the purpose of Mr. Gutsiev's parole had not been completed and because Respondents did not conduct an individualized assessment to determine whether there were changed circumstances that would support a finding that he poses a danger to the public or a flight risk, DHS cannot "articulate[] a satisfactory explanation for [their] action to revoke [Mr. Gutsiev's] parole. Moreover, by denying [Mr. Gutsiev] the required procedure before purporting to terminate his parole, Respondents acted arbitrarily and capriciously and violated the APA." *Perez v. LaRose*, No. 3:25-CV-02620-RBM-JLB, 2025 WL 3171742, at *7 (S.D. Cal. Nov. 13, 2025), *quoting Altera Corp. & Subsidiaries v. Comm'r,* 926 F.3d 1061, 1080 (9th Cir. 2019) and *Y-Z-L-H v. Bostock,* 792 F. Supp. 3d 1123, 1137–38 (D. Or. 2025).

98. Under the Administrative Procedure Act a reviewing court *shall* set aside any agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." *5 U.S.C. § 706(2)(a)*; *see also Luz Loaiza Arias, Petitioner, v. CHRISTOPHER LAROSE, Warden, Otay Mesa Det. Ctr., et al*, No. 3:25-CV-02595-BTM-MMP, 2025 WL 3295385, at *2 (S.D. Cal. Nov. 25, 2025).

X. CLAIMS FOR RELIEF

COUNT ONE

Petitioner's Detention Violates Due Process Under the Fifth Amended of the U.S. Constitution

99. Petitioner restates and realleges all paragraphs as if fully set forth here.

100. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V. See generally *Reno v. Flores*, 507 U.S. 292 (1993); *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003).

101. Petitioner is currently being detained by DHS/ICE authorities without cause and in violation of his constitutional rights to due process of law.

102.Respondents' unlawful actions have caused and continue to cause Petitioner significant prejudice by depriving him of his liberty and exercise of his statutory and constitutional due process rights.

103.Petitioner's continued detention serves no legitimate governmental purpose. He has a pending application for asylum, no criminal history, strong family and community ties, and has demonstrated compliance with immigration laws.

104.For these reasons, Petitioner's detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution.

105.Petitioner has no adequate or complete remedy at law to address the wrongs described herein. The injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future irreparable injury.

COUNT TWO

Petitioner's Detention Violates the Immigration and Nationality Act

106.Petitioner restates and realleges all paragraphs as if fully set forth here.

107.Respondents' re-detention of Petitioner after he was paroled, without affording him a hearing to determine whether his re-detention serves statutory or regulatory purposes violated Respondents' authority under the Immigration and Nationality Act. *8 U.S.C. § 1357(a)(2)*; *BACHITAR SINGH, v. KRISTI NOEM*, et al., No. CV 25-1110 JB/KK, 2025 WL 3254727 (D.N.M. Nov. 21, 2025); *Loa Caballero v. Baltazar*, No. 25-CV-03120-NYW, 2025 WL 2977650 (D. Colo. Oct. 22, 2025).

108.Respondents' unlawful actions have caused and continue to cause Petitioner significant prejudice by depriving him of his liberty and exercise of his statutory and constitutional due process rights.

109.As a proximate result of Respondents' statutory violations, Petitioner is suffering and will continue to suffer a significant deprivation of his liberty without due process of law.

110.Petitioner has no adequate or complete remedy at law to address the wrongs described herein. The injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future irreparable injury.

COUNT THREE

Revocation of Petitioner's Parole is in violation of the Immigration and Nationality Act and Applicable Regulations

111.Petitioner restates and realleges all paragraphs as if fully set forth here.

112.Respondents' revocation of Petitioner's parole, without an individualized assessment in his case and prior to completion of the purpose of his parole, violated Respondents' authority under the Immigration and Nationality Act. *8 U.S.C. § 1182(d)(5)(A)*;

113.Respondents' unlawful actions have caused and continue to cause Petitioner significant prejudice by depriving him of his liberty and exercise of his statutory and constitutional due process rights.

114.As a proximate result of Respondents' statutory violations, Petitioner is suffering and will continue to suffer a significant deprivation of his liberty without due process of law.

115.Petitioner has no adequate or complete remedy at law to address the wrongs described herein. The injunctive and declaratory relief sought by Petitioner is necessary to prevent continued and future irreparable injury.

COUNT FOUR

Violation of the Administrative Procedure Act – 5 U.S.C. § 706(2)(A)

Abuse of Discretion Violation of 8 U.S.C. § 1226(b), 8 C.F.R. § 1236.1(c)(9)

116.Petitioner restates and realleges all paragraphs as if fully set forth here.

117.Respondents revocation of Petitioner's parole, their arrest and re-detention of Petitioner without a warrant or an individualized assessment are all violations of the Administrative Procedure Act.

118.Under the APA, a court shall "hold unlawful and set aside agency action" that is an abuse of discretion. *5 U.S.C. § 706(2)(A)*.

119.An action is an abuse of discretion if the agency "entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise." *Nat'l Ass'n of Home Builders v. Defs. of Wildlife*, 551 U.S. 644, 658 (2007) (quoting *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983)).

120.To survive an APA challenge, the agency must articulate "a satisfactory explanation" for its action, "including a rational connection between the facts found and the choice made." *Dep't of Com. v. New York*, 139 S. Ct. 2551, 2569 (2019) (citation omitted).

121.By deciding to revoke Petitioner's parole and release without consideration of his individualized facts and circumstances, Respondents have violated the APA.

122.By choosing to categorically detain the Petitioner, Respondents have further abused their discretion because there have been no changes to his facts or circumstances since the agency made its initial custody determinations that support the revocation of his release from custody.

123.Respondents have previously considered Petitioner's facts and circumstances and determined that he was not a flight risk or danger to the community. There have been no changes to the facts that justify this revocation.

124..“Respondents' actions are arbitrary, fail to adhere to the law, and therefore, violate the APA."*Noori v. LaRose,* No. 25-CV-1824-GPC-MSB, 2025 WL 2800149, at *14 (S.D. Cal. Oct. 1, 2025).

PRAYER FOR RELIEF

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

1. Assume jurisdiction over this matter;
2. Issue an Order to Show Cause requiring Respondents to show why the writ should not be granted within three (3) days, and set a hearing on this Petition within five (5) days of the return, as required by 28 U.S.C. 2243;
3. Issue a Writ of Habeas Corpus ordering Respondents to release him immediately under reasonable conditions of supervision, or in the alternative, to provide him with a bond hearing before an Immigration Judge at which the Government bears the burden of justifying continued detention;
4. Declare that Petitioner's arrest and detention violate the Due Process Clause of the Fifth Amendment, the Administrative Procedure Act and the Immigration and Nationality Act;
5. Enjoin Respondents from transferring Petitioner outside this District or deporting Petitioner pending these proceedings;
6. Enjoin Respondents from re-detaining Petitioner unless his re-detention is ordered at a custody hearing before a neutral arbiter in which the government bears the burden of proving, by clear and convincing evidence, that Petitioner is a flight risk or danger to the community;
7. Set aside Respondents' unlawful practice pursuant to 5 U.S.C. §706(2) as contrary to law, contrary to constitutional right, and in excess of statutory authority;
8. Order Respondents to return all of Mr. Gutsiev's property and personal effects to him upon his release;
9. Award reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and
10. Grant such further relief as this Court deems just and proper.

DATED: April 25, 2025

Respectfully Submitted

/s/ Inna Parizher

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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I, Inna Parizher, do depose and state:

I represent Petitioner Dzhokhar Gutsiev in these habeas corpus proceedings. Mr. Gutsiev is currently being held in detention at the Adelanto ICE Processing Center and cannot appear in my office to sign this Verification. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge and belief.

Dated: April 25, 2025 RESPECTFULLY SUBMITTED,

Los Angeles, California

_/s/Inna Parizher_______________

Inna Parizher