

**UNITED STATES DISTRICT COURT
WESTERN OF WASHINGTON
TACOMA DIVISION**

TAREQ ZIAD FOUAD ZAKARNEH

Petitioner,

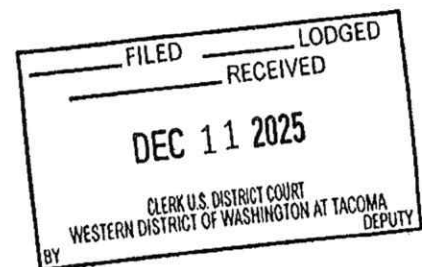
V.

**IMMIGRATION CUSTOM ENFORCEMENT
ET AL,**

Respondent,

Case No . 2:25-cv-00707-DGE – GJL

**OBJECTIONS ON REPORT AND
RECOMMENDATION**



Introduction

On November ,26,2025 the petitioner got the Reports and Recommendations for his habeas petition .

A . Objections to Status and Removal proceedings

Petitioner is a native and citizen of Palestinian Territories of West Bank and Gaza

Strip ,Palestine is country has been dismantled on 1948 , The court erred when they mentioned there is a country called Palestine , 60% of West bank is Occupied of Israeli settlers and IDF forces , West Bank under extreme occupation and the life hardship , after Gaza war starts on October,7,2023 IDF moved his forces to control the whole West Bank territories specially Jenin city the petitioner city where his family reside and the only house that he has their , as the 90 % infrastructure of Gaza strip has been destroyed .

Petitioner entered the United States on September,2011 and left for emergency family circumstances , on January,2012 , the court erred when they mentioned he stayed after his first entry and he married his wife on 2013 .

The petitioner renewed his visa and return to United states on March ,20,2013 as a student, at the same year he met his wife and they married a couple of months later on, his wife filed for him petition I-130 and on June, 18, 2014 he got his conditional green card.

The petitioner was able to do an interview for his I-751 removal the conditional of his green card by himself, because of a special relation and service with an officer from the JTTF Tad Foy *see Text message communication in EX.A* between him and the officer Tad Foy and the appointment letter, and an attest declaration of truthiness for the petitioner.

On the interview the USCIS officer Mark state to the petitioner that “we don’t need your wife and everything looks pretty good to me” page 8 of the green card transcripts *see EX.B*, the petitioner is objecting about what that the court adopted

the government story, the petitioner has a verbal agreement that while he help the federal officers in trade for his green card, the statement has been erased from Transcripts that has been presented to the court, the petitioner moved on to produce the evidence from the respondent after the IJ affirmed the denial of the USCIS of his I-751, his lawyer Elizabeth Rayne filed many FOIA requests between 2019 and 2023 and an administrative appeal , the Brief of the petitioner came on at the end of 2021 and the USCIS still did not produce the green card interviews and almost a 233 pages were whited out and it has been used to deny the I-751 application for the petitioner ,the USCIS were evasive and refused to produce these evidence *see EX.C Elizabeth Rayne Declaration*, the petitioner refiled the law sue against the respondent from his confinement which the court did not mention, while the Judge Stacy Beckerman on both cases transferred the habeas petition had mentioned that on her order when she transferred the case to the district of Washington from Oregon district for lack of jurisdiction and both cases related to each other.

The petitioner after the BIA dismissed his appeal with prejudice he filed a petition with the ninth circuit and he file a law sue against the government case 3:22-cv-1812-SI the law sue has been dismissed for miss filing on 2023, and the judge asked to be refile it again which its case 3:25-cv-00448-SB now, the ninth circuit grant a stay for the petitioner then it was lifted after the government decide to start removing the petitioner in retaliation from his law suits to produce a discovery, ICE alleged that they contact the petitioner to a travel document ICE did not produce any evidence that they contact the petitioner for any request as the petitioner still considered as a green card holder under 8 C.F.R 264.5(g) , after the

ninth circuit lift the stay on July ,2023 the petitioner filed an application of I-140 on September, 2023 copy of the petitioner passport was included with the application, if the government was able to proceed a removal for non removable alien like the petitioner they can use it , the petitioner provide the respondent of a copy of his travel document through their attorney at the BIA on January,28,2025 when he filed a motion to reopen with CAT application if the respondent were able to remove the petitioner they can do it , but the petitioner has stateless status as a Palestinian native and he is not removable , the petitioner handed to the respondent a travel document on August,1,2025 to release him from custody and the respondent lied and they kept him in indefinite confinement.

B. Objection to immigration detention

The MJ erred when he state that the petitioner did not collaborate with ICE for travel document initially to be released from custody , because the petitioner already gave ICE on August,1,2025 a travel document based on their request as ICE did not provide any approve that they contact the petitioner officially to get a travel document with a valid information, anyway they have a travel document that they can use it to issue a new travel document or what they call it a white passport if their were capable to deport him , but an agreement with officer Alfredo Santiago is to release him from custody they need a travel document to be in file , ICE lied and they did not release the petitioner on the 90 days reviw on August,22,2024 and they kept the petitioner in custody with a violation of the Fifth amendment , petitioner does not have any criminal history or any charge , until when he renewed his motion to stay after the alleged 180 prolonged detention

on December,04,2025 , the respondent refuse to release him and give him a relief under the Deferred Enforcement Departure F.89 267261 program for Palestinian .

The respondent with prejudice between the DOJ and DHS brought a redacted reports from the DHS accusing the petitioner falsely of Terrorism in retaliation, of his free speech under the first amendment , the Magistrate Judge did not point in his R& R to these violation and conspiracy between the DOJ and the DHS how an IJ allow that to happen on his court room the DOJ and the DHS worked on scheme to keep the petitioner in custody with a violation of his fifth amendment *see EX.D as a reminder FBI and HSI redacted reports.*

The administrative final order not on April,28,2025 it was on August,29,2022 ,but the petitioner had a stay from the ninth and he is originally he still a green card holder under 8 C.F.R 264.5(g) , the pre order under 8 USC 1226(c) dose not apply on the petitioner the MJ erred because this law is used for criminal aliens as stating below:

(c) Criminal aliens

The petitioner is not criminal as he does not have any criminal history , the post order detention under 8 USC 1231(a)(2) is prejudice and violation of the fifth amendment .

Under the 8 USC 1231 (a)(6) is a retaliation from the petitioner because the petitioner is not a criminal why he should be in custody as he is not removable

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alien , the petitioner did not miss one day court of his proceeding , the MJ did not rule of the legality of the attorney general retaliation with the respondent versus the petitioner or point to the Indefinite confinement because the petitioner practice his right under the first amendment and filed law sue against the respondent to produce a discovery , case 3:25-cv-00448-SB as they hold him with a violation of the Eighth amendment in an excessive confinement and denying his bail under false information of his release , while the petitioner was protected from deportation until either the Ninth circuit lift his stay the DED order for Palestinians was still in effect , see *the petitioner CAT application EX.E* Local rule 5.2(c) apply , the respondent violate the Administrative procedure Act because they did not process his application that has been sent to the USCIS at the address DED for Palestinian (Box 805283) 131 South Dearborn Street 3rd floor ,Chicago,IL 60603-5517 tracking number by fedex 883554516873 , after the BIA with prejudice denied to reopen his case under the change country conditions with a violation of 8 C.F.R 1003.2(c)(1) and the DED order of Biden administration after the war starts between the Palestinian militant and Israel on October,7,2023 , the BIA denied illegally his motion based on fabricated redacted reports alleging falsely that the petitioner is a ( member) while this is not true to bar the petitioner from any relief that he sought to and to keep him in detention in a retaliation from him the MJ did not point for the too respectfully see *EX.D, see Rumsfeld v. Padilla* .

ICE and USCIS did not offer the petitioner a credible fear interview or any due process for his CAT application , the MJ did not point to that on his R&R while the petitioner submitted his application to the court as an evidence to support his motion to block deportation .

C. Objection to federal Habeas petition

The habeas petition which it was filed at the district of Oregon is related to the petitioner FOIA case 3:25-cv-00448-SB, the R& R of the MJ did not mention the factual argument with the habeas petition, while the IJ decision of 2019 was built on an impeachment evidence that was provided by the respondent of the I-751 green card interviews, the respondent used the IJ decision which it was built on these green card interviews to deny the petitioner relief, the respondent attached the IJ decision of 2019 as an evidence of his motion to dismiss in EX.D the immigration judge evidence relied on the green card interview transcripts page see page 5, the respondent admit on September.2.2025, that the USCIS officer of Portland deleted the petitioner Media video recorded record, see *Jared Panter declartion from the USCIS Page 12 EX.E*, as they keep refusing to release these media that has been used to produce the interview transcripts that has been used as an evidence to in IJ decision of 2019.

The MJ judge erred when he did not take in consideration that the petitioner in indefinite confinement since May,22,2024, the government tried to deport him three times illegally from Arizona, and Texas on June ,2025 without an adequate notice Dkt.21. At 2 (Rodriguez Declaration) while he still in litigation.

The respondent represented of department of Justice and DHS continue keeping the petitioner in indefinite confinement and accusing him falsely of ( membership), the MJ did not indicate to the lawful statue of it, these redacted reports should not be considered as the petitioner Habeas should be granted.

The petitioner still in litigation for the BIA decision that has been issued with prejudice on August ,12,2025 and it has been appealed to the Ninth circuit case 25-5806 and he filed claim at the district court case 2:25-cv-01840-TL-MP , the petitioner filed a motion to reopen on November,5,2025 with the BIA for the new evidence behind rejection of his I-751 to subpoena and cross exam the federal officers from the FBI and the HSI which the BIA with prejudice relied on their redacted fabricated reports to deny his motion to reopen which it should not, the MJ judge did^{not} mention these proceeding.

The status report that has been filed by the government on November,14,2025 indicate that the travel document produced, this an evidence that the passport that has been handed to the government on August,2024 is a valid travel document. The MJ erred when he mentioned that the petitioner did not collaborate with respondent to give them a travel document.

The respondent did not reply to the sworn statement request of the petitioner that officer Strzelcyk deleted the cloning information from his cell phone , MJ erred did not rule on the petitioner reply of his property release .

The petitioner did not have a respond from the USCIS and ICE through officer Strzelcyk for his application of I-589 application that has been filed on August,13,2025 , the petitioner questioned him about it and the proceeding of it to proceed a credible fear interview, USCIS and ICE with a violation of Administrative proceeding Act and due process *see Bitar v. Bondi U.S dist.lexis*

95299, the respondent did not provide the credible fear interview for the petitioner

The petitioner informed ICE officer and with the AFO Santiago about the new evidence and the I-589 application and how its dangerous for him to be sent to Israel and he told them that Israel is not his home, the petitioner act under the first amendment and officer Strzelczyk threat of prosecution if the petitioner does not leave on his own the country which it is prejudice or they will keep him in indefinite confinement, the respondent tried to remove the petitioner to Israel after they defame him of ( Membership) to be imprisoned and put in jail forever and to be tortured as a retaliation from him, the petitioner respond back to the respondent officer to expedite the federal persecution to get his right back with new de novo trial and expose the information that he has in his possession and subpoena the federal officers, the petitioner attached his I-589 application with his motion to block deportation and the MJ did not give any weight for it.

II. Objections on discussion

The MJ judge respectfully did not indicate exactly what law should be considered under the INA act, generally a conditional law of 8 USC 1001 through 1537 does not assign what the Judge means.

The DHS is detaining the petitioner for the last 18 months to restrict his liberty and his freedom to punish him with grudge, to deteriorate his life in retaliation from him for his act and his freedom of speech and act under the first amendment.

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The petitioner does not have any criminal record or danger to the community , the respondent lied to the public to establish any valid evidence against the petitioner .

The attorney general is retaliating with the government from the petitioner by keeping him in indefinite confinement under the 8 USC 1231(a)(2) , The MJ erred when he agreed with the respondent that the respondent can keep the petitioner under indefinite confinement and accuse him falsely of terrorism to defame him as a danger person under the 8 USC 1227(a)(4) which it does not apply on the petitioner , the petitioner does not have any charges or related security ground versus the respondent , the government is violating the fifth amendment clause by keeping him in indefinite confinement see the Fifth amendment clause :-

No person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of war or public danger; no shall any person be subject for the same offense to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself, no be deprived of life, liberty, or property, without due process of law; nor shall private property be taken fro public use, with out due process of law; nor shall private property be taken for public use, without just a compensation

8 USC (a)(2) does not apply on the petitioner , the MJ erred when he announced its as a related ground versus the petitioner , the petitioner does not have any criminal charges at all , he has clean record .

The MJ erred when he mentioned the petitioner is inadmissible under 8 USC 1182 , the petitioner has been living in the country since March ,20,2013 and he

becomes a US resident since June,18,2014 he has his status without any criminal record , the attorney general under 8 USC 1229b(a) can cancel his removal while the petitioner still asking for a relief and sign stipulated agreement with the petitioner for immunity of any potential law sue versus the respondent.

The MJ erred when he decide that he 8 USC 1231(a)(6) apply on the petitioner in contrary with *Zdvydas v. Davis* , the petitioner rights has been violated under the first amendment to disclose a discovery for his immigration proceeding see case 3:25-cv-00448-SB , In *Zadvydas v. Davis*, the congress did^{not} prohibit post order detention for aliens who has criminal history, the petitioner is not criminal at all he is a Field Service Engineer IV and does not have any security threat or danger to the community ,it is illegal to keep him in indefinite confinement without credible evidence or trial ,the MJ erred to agree with the respondent .

The petitioner is in indefinite confinement for more than 18 months , the MJ errd when he mentioned that the petitioner filed his habeas case under the 90 days mandatory detention of *Kholesouvan v. Morones* , 386 F.3d 1299-1300-01-(9th circ 2004)

The MJ erred when he indicate to *Demore v. Kim* , 538 U.S . 510,531(2003) and *Rodriguez v. Hayes*, 591,F.3d 1105,1116(9th cir 2010) because both of these individual has a criminal charges and they are threat to the community and safety post -order detention of them meet the supreme court and the congress constitution, the petitioner does not have any criminal record or any danger to the

community.

The petitioner object that his detention still under the 180 days or 90 days , the petitioner has been in detention since May,22,204 and he was not removable because he is stateless native from Palestine.

Due process violation already happen while he still in litigation and seeking a relief to state his 10 years residency and citizenship, the respondent tried to remove him twice illegally while he still in litigation.

The petitioner is Palestinian not Israeli or has any travel document or residency of Israel , Israel is not his home petitioner suffer from the Israeli occupation and he was harmed in two incidents before he was able to leave to United States , the MJ erred when he believed that the petitioner did not cooperate with the respondent to secure travel document while he is not obligated, because the respondent with their capacity as an attorney general kept him in indefinite compound to punish him not for security reasons as to ~~so~~ limit his freedom and to destroy his life.

The MJ erred when he avoid the discussion that the government lied when they alleged his final removal order of the administrative record was April,28,2025 while the previous order was issued on August,29,2022 of the administrative proceeding , and the petitioner had stay then the DED F.89 267261 for Palestinian has been issued, the petitioner filed a new motion to reopen and on January,28,2025 with an asylum application.

Question to the court and an objection how the government did not have travel document and they secure the petitioner flight twice and they offer him to deport himself to Mexico from Texas , and the petitioner was put on flight to be deported from Arizona then from Texas if they don't have a travel document for him, the respondent violate the APA act when they did not process his I-589 or allow adjudication by the BIA and give de novo trial and kept him in indefinite confinement .

The MJ erred when he indicate that *Singh v. Whitaker* , 362 F.Supp 3d 93 , 101-02(W.D.N.Y 2019) is a similarity of the petitioner claim, the petitioner is stateless from Palestine and he handed the respondent a travel document but the petitioner is not and Israeli , he belongs for an occupied territories call Palestinian territories controlled by Israeli occupation forces where he has fear to return, Singh has criminal record as he was not accepted through the borders and admitted as the petitioner was admitted through the airport three times *Singh v. Whitaker*, 362 F.Supp 3d 93 , 101-02(W.D.N.Y 2019) does not apply on the petitioner.

In *Del Toro- Chacon v. Cherlott*, NO 2:05-cv-01861-RSL ,2008 WL 687445, at 7-8(W.D Wash. Mor.10,2008) the MJ erred when he subject the petitioner claim with *Del Toro- Chacon v. Cherlott* claim because she has a criminal convictions of drug and theft of stolen car , the petitioner does not have any criminal charges as the petitioner was in front of an IJ for bond hearing and the IJ denied his release with prejudice based on non credible evidence .

The MJ erred when he accept the respondent declaration that the petitioner refused

and rebuffed ICE without getting an answer from the petitioner on an evidentiary hearing , ICE violates his rights when the y did not give him a credible fear interview for his I-589 and the new evidence that the petitioner present to ICE, as ICE want to sent the petitioner to Israel to be jailed and tortured, ICE refuse to declare to the petitioner their statements about him with the Israeli authorities and how they were able to get a permission to remove him to Israel while he is not Israeli where he fear to go , As the MJ erred when he state that the petitioner did not collaborate with ICE for travel document in good well.

The government statements of their officer Stryzleyk officer that the travel document that he hand them on August,1,2024 is working.

The petitioner must be released while the Distrcit court grant *Bernik v. Bondi* 2025 U.S Dist Lexis U.S Dist Lexis 179295, the petitioner must be released while he does not have a criminal history and in Bernik v. Bondi (Bernik has a murder crime and ~~he~~ has been released under supervision).

For these reasons the petitioner asking the district Judge to overrule on the reports and recommendations and grant his habeas petition with protection from the court, as the petitioner does not mind to be released on supervision by the court because he cant trust the government action and grant him a TRO versus the respondent.

This is dated on November,20,2025

/s/ Tareq Zakarneh

Tareq Zakarneh, Petitioner

**UNITED STATES DISTRICT COURT
WESTERN OF WASHINGTON
TACOMA DIVISION**

TAREQ ZIAD FOUAD ZAKARNEH

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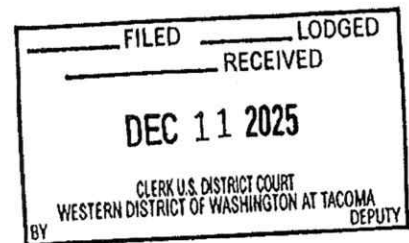
V.

**IMMIGRATION CUSTOM ENFORCEMENT
ET AL,**

Respondent,

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Certificate of Service



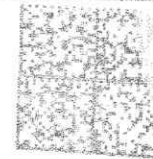
I Tareq Zakarneh hereby certify that on December,07,2025 that I served the respondent the objections on report and recommendations the first class mail at the address below:

United States Attorney
1201 Pacific Ave, ste 700
Tacoma, WA 98402

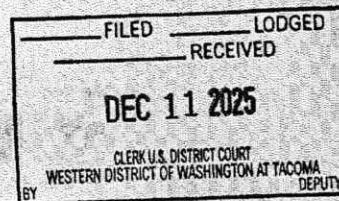
This dated on December,7,2025.

/s/ Tareq Zakarneh
Tareq Zakarneh, Petitioner

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bat 888-QDT, March 2023