

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

Vladimir KIM	)	Case No. 4:25-CV-262
Petitioner,	)	
	)	
v.	)	PETITION FOR WRIT
	)	OF HABEAS CORPUS
	)	
TERRANCE DICKERSON, <i>in his official capacity</i>	)	
<i>as Warden of Stewart Detention Center, and</i>	)	
TODD LYONS, <i>in his official capacity as Acting</i>	)	Agency # 047202358
<i>Director of Immigration and Customs Enforcement</i>	)	
and GEORGE STERLING, <i>Field Office Director</i>	)	
<i>ICE Atlanta Field Office, and KRISTI NOEM</i>	)	
<i>Secretary of Homeland Security,</i>	)	
	)	
Respondents.	)	
_____	)	

BACKGROUND

Petitioner, Vladimir Kim, hereby petitions this Court for a writ of habeas corpus to remedy Petitioner's unlawful detention, and to enjoin Petitioner's continued unlawful detention by the Respondents. In support of this petition and complaint for injunctive relief, Petitioner alleges as follows:

PARTIES

1. Petitioner, Mr. Kim, is a stateless person who was ordered removed on April 2, 2009. He is currently detained at the Stewart Detention Center in Lumpkin, Georgia.

2. Respondent Terrance Dickerson is the Warden of Stewart Detention Center, and he has immediate physical custody of Petitioner pursuant to the facility's

contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner.

3. Respondent Todd Lyons is the Acting Director of Immigration and Customs Enforcement (hereinafter “ICE”). As such, Respondent Lyons is responsible for the oversight of ICE operations. Respondent Lyons is being sued in his official capacity. Respondent Alejandro Mayorkas is sued in his official capacity as Secretary of the U.S. Department of Homeland Security (“DHS”). He oversees ICE and is responsible for implementation and enforcement of the INA. He is a legal custodian of Petitioner.

4. Respondent George Sterling is the Atlanta Field Office Director for Immigration and Customs Enforcement (hereinafter “FOD”). As such, Respondent Sterling is responsible for the oversight of ICE operations at the Stewart Detention Center. Respondent Sterling is being sued in his official capacity.

5. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (hereinafter “DHS”). As Secretary of DHS, Secretary Noem is responsible for the general administration and enforcement of the immigration laws of the United States. Respondent Secretary Noem is being sued in her official capacity.

JURISDICTION

6. This action arises under the Constitution of the United States, 28 U.S.C. § 2241(c)(1), and the Immigration and Nationality Act, as amended (“INA”), 8 U.S.C. § 1101 *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. § 2241, Art.

I § 9, cl. 2 of the United States Constitution (“Suspension Clause”), and 28 U.S.C. § 1331, as the Petitioner is presently in custody under color of the authority of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. *See Zadvydas v. Davis*, 533 U.S. 678, 688 (2001) (“We conclude that § 2241 habeas corpus proceedings remain available as a forum for statutory and constitutional challenges to post-removal-period detention.”); *INS v. St. Cyr*, 533 U.S. 289, 301 (2001) (at its historical core, the writ of habeas corpus has served as a means of reviewing the legality of executive detention, and it is in that context that its protections have been strongest.”); *Clark v. Martinez*, 543 U.S. 371 (2005) (holding that *Zadvydas* applies to aliens found inadmissible as well as removable).

7. The respondent in habeas petitions is the person who exercises day by day control over the petitioner’s physical custody. 28 U.S.C. §§2242, 2243; *Rumsfeld v. Padilla*, 542 U.S. 426, 439 (2004) (“In challenges to present physical confinement, we reaffirm that the immediate custodian, not a supervisory official who exercises legal control, is the proper respondent”). The federal district court in whose district the respondent controls the petitioner’s physical custody, is the court with jurisdiction over the respondent. *Padilla*, 542 U.S. at 447-48.

8. A habeas petitioner must file his or her petition with the court that has jurisdiction over the immediate custodian. *Id.*

9. The Department of Homeland Security (“DHS”) detains Mr. Kim at the Stewart Detention Center in Lumpkin, Georgia. The Stewart Detention Center is within this Court’s district. Terrance Dickerson is the Warden of the Stewart

Detention Center. Dickerson is therefore the proper respondent, this Court has jurisdiction over him, and Mr. Kim files his petition with this Court.

10. This Court has jurisdiction to entertain this petition and grant it under 28 U.S.C. §2241(c)(3) (writ of habeas extends to individuals in custody in violation of the Constitution or the laws of the United States). *Demore v. Kim*, 538 U.S. 510, 516-17 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 687-89 (2003) (“Freedom from imprisonment -- from government custody, detention, or other forms of physical restraint -- lies at the heart of the liberty . . . [which the Fifth Amendment] protects”); *I.N.S. v. St. Cyr*, 533 U.S. 289, 302 (2001) (writs of habeas may be used to challenge “detentions based on errors of law”).

VENUE

11. Venue lies in the Middle District of Georgia, Columbus Division, because Mr. Kim is currently detained in the territorial jurisdiction of this Court, at the Stewart Detention Center. 28 U.S.C. § 1391.

EXHAUSTION OF REMEDIES

12. Mr. Kim has exhausted his administrative remedies to the extent required by law, and his only remedy is by way of this judicial action.

13. Petitioner’s constitutional challenge to indefinite detention is exempt from administrative exhaustion requirements. *See Woodford v. Ngo*, 548 U.S. 81, 103 (Breyer, J. concurring) (constitutional claims are exempt from administrative exhaustion); *see also Khan v. Atty. Gen. of U.S.*, 448 F.3d 226, 236 n.8 (3d Cir. 2006) (internal alterations and quotations removed) (“[D]ue process claims generally are

exempt from the exhaustion requirement because the BIA does not have jurisdiction to adjudicate constitutional issues.”); *United States v. Gonzalez-Roque*, 301 F.3d 39, 48 (2d Cir. 2002) (“[T]he BIA does not have jurisdiction to adjudicate constitutional issues” (quoting *Vargas v. U.S. Dep’t of Immigration & Naturalization*, 831 F.2d 906, 908 (9th Cir. 1987))).

14. As the Eleventh Circuit has held “It is no longer the law of this circuit that exhaustion of administrative remedies is a jurisdictional requirement in a § 2241 proceeding.” *Santiago-Lugo v. Warden*, 785 F.3d 467, 474–75, n.5 (11th Cir. 2015) (abrogating *Boz v. United States*, 248 F.3d 1299, 1300 (11th Cir.2001)).

15. Further, there is no statutory exhaustion of administrative remedies where a noncitizen challenges the lawfulness of his detention. *Cf.* 8 U.S.C. § 1252(d)(1) (requiring exhaustion of administrative remedies only where requesting review of a final order of removal). “[W]here Congress has not clearly required exhaustion, sound judicial discretion governs.” *Jones v. Zenk*, 495 F. Supp. 2d 1289, 1297 (N.D. Ga. 2007) (citing *McCarthy v. Madigan*, 503 U.S. 140, 144 (1992)). As a matter of discretion, exhaustion of administrative remedies should therefore be waived “(1) where prejudice to the prisoner’s subsequent court action ‘may result, for example, from an unreasonable or indefinite timeframe for administrative action’; (2) where the administrative agency may not have the authority ‘to grant effective relief; or (3) ‘where the administrative body is shown to be biased or has otherwise predetermined the issue before it.’” *Jones*, 495 F. Supp. 2d at 1297 (citing *McCarthy*, 503 U.S. at 146-48). *See also Woodford v. Ngo*, 548 U.S. 81, 103 (2006) (Breyer, J.

concurring) (noting “well-established exceptions to exhaustion” that include constitutional claims, futility, hardship to the petitioner, and where administrative remedies are inadequate or unavailable) (citations omitted)).

16. In making its discretionary decision, the Court should consider the urgency of the need for immediate review. “Where a person is detained by executive order . . . the need for collateral review is most pressing. . . . In this context the need for habeas corpus is more urgent.” *Boumediene v. Bush*, 553 U.S. 723, 783 (2008) (waiving administrative exhaustion for executive detainees).

STATEMENT OF FACTS

17. Mr. Kim was born in Uzbekistan, and he became a lawful permanent resident in 2000. (*EXH. A, Notice to Appear*). Following a criminal conviction in 2009, he was taken into ICE custody on or about March 6, 2009 (*EXH. B, Notice of Custody Determination*). A final order of removal was entered on April 2, 2009 and the period of post-order detention commenced. (*EXH. C, Automated Case Information*).

18. On July 23, 2009, 112 days later, Mr. Kim was informed that he was being released from custody as his removal to Uzbekistan had not been possible. (*EXH. D, Release Notification*).

19. As of October 17, 2012, Mr. Kim is no longer a citizen of Uzbekistan. Along with the rest of his family, all born in Karakalpakstan, he renounced his Uzbek citizenship. (*EXH. E, Confirmation Letter*).

20. Karakalpakstan is a sovereign democratic republic within Uzbekistan

which has had a turbulent history with Karakalpakstan and its indigenous people.

(EXH. F, Country Report)

21. From his release in July 23 2009, Mr. Kim has been on an Order of Supervision and reported regularly and as required until February 25, 2025, at which time he was taken back into custody with no explanation. **(EXH. G, Order of Supervision)**. Documents from ICE indicate that “System check show [soc] no new/derogatory information. No wants, no warrants.” *Id.*

22. Since the latest detention, Mr Kim has been held for an additional 170 days. No justification has been provided for the redetention of Mr Kim.

23. In all, since his final order of removal, Mr Kim has been detained with no prospect of removal for a total of 282 days.

24. In the *sixteen years* that have passed since Mr. Kim’s removal order became final, ICE has not notified Petitioner of any progress in his repatriation, a fact that indicates clearly that Mr. Kim’s removal is significantly unlikely in the reasonably foreseeable future.

25. To Mr. Kim’s knowledge, no government has issued travel documents.

26. For all the reasons stated within, Mr. Kim’s removal is not reasonably foreseeable.

27. It should also be noted that Mr. Kim, who is only 41 years old, has several serious medical conditions that impact his ability to travel. He underwent an Aortic Valve Replacement in September of last year and was hospitalized for five days in April, after he was detained. **(EXH. H, Discharge Summary, April 10, 2025)**

According to his healthcare provided he suffers from a serious heart condition. (*EXH. I, Letter from Rosa Teyfel, FNP*). Concerns include risks of cardiac arrest from the exertions of travel. *Id.*

LEGAL FRAMEWORK FOR RELIEF SOUGHT

28. In *Zadvydas*, the Supreme Court held that 8 U.S.C. § 1231(a)(6), when “read in light of the Constitution’s demands, limits an alien’s post-removal-period detention to a period reasonably necessary to bring about that alien’s removal from the United States.” 533 U.S. at 689. A “habeas court must [first] ask whether the detention in question exceeds a period reasonably necessary to secure removal.” *Id.* at 699. If the individual’s removal “is not reasonably foreseeable, the court should hold continued detention unreasonable and no longer authorized by statute.” *Id.* at 699-700.

29. In determining the length of a reasonable removal period, the Court adopted a “presumptively reasonable period of detention” of six months. *Id.* at 701. After six months, the government bears the burden of disproving an alien’s “good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” *See Zhou v. Farquharson*, 2001 U.S. Dist. LEXIS 18239, *2-*3 (D. Mass. Oct. 19, 2001) (quoting and summarizing *Zadvydas*). Moreover, “for detention to remain reasonable, as the period of prior post-removal confinement grows, what counts as the ‘reasonably foreseeable future’ conversely would have to shrink.” *Zadvydas*, 533 U.S. at 701. ICE’s administrative regulations also recognize that the HQPDU has a six-month period for determining whether there is a significant

likelihood of an alien's removal in the reasonably foreseeable future. *See* 8 C.F.R. § 241.4(k)(2)(ii).

30. Evidence showing successful repatriation of other persons to the country at issue is not sufficient to meet the government's burden to establish that an alien petitioner will be deported within the reasonably foreseeable future. *See Thompson v. INS*, 2002 U.S. Dist. LEXIS 23936 (E.D. La. September 16, 2002) (government failed to show that alien's deportation to Guyana was reasonably foreseeable where the government offered historical statistics of repatriation to Guyana, but failed to show any response from Guyana on the application for travel documents that INS and the petitioner had requested). Rather, for the government to meet its burden of showing that an alien's repatriation is reasonably foreseeable, it must provide some meaningful evidence particular to the individual petitioner's case.

31. An alien who has been detained beyond the presumptive six months should be released where the government is unable to present documented confirmation that the foreign government at issue will agree to accept the particular individual in question. *See Rosales-Garcia v. Holland*, 322 F.3d 386, 415 (6th Cir. 2003) (finding "no significant likelihood of removal in the reasonably foreseeable future" where "government presented evidence of our continuing negotiations with Cuba over the return of Cuban nationals excluded from the United States [but petitioners were not] currently on a list of persons to be returned."); *Agbada v. John Ashcroft*, 2002 U.S. Dist. LEXIS 15797 (D. Mass. August 22, 2002) (court "will likely grant" habeas petition after fourteen months if ICE "is unable to present document

confirmation that the Nigerian government has agreed to [petitioner's] repatriation"); *Zhou*, 2001 U.S. Dist. LEXIS 18239 (ordering that the writ of habeas corpus issue within 60 days, given petitioner's 13-month detention and the INS' inability to assure the court that the paperwork from China was on its way); *Abdu v. Ashcroft*, 2002 U.S. Dist. LEXIS 19050 at *7 (W.D. Wash. February 28, 2002) (government's failure to offer specific information regarding how or when it expected to obtain the necessary documentation or cooperation from the foreign government indicated that there was no significant likelihood of petitioner's removal in the reasonably foreseeable future).

32. Mr. Kim's liberty from immigration custody is protected by the Due Process Clause: "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).

33. Since July 23, 2009, Mr. Kim exercised that freedom under ICE's order releasing him from custody. *See EXH. D, Release Notification*. As he was released from custody, he retains a weighty liberty interest under the Due Process Clause of the Fifth Amendment in avoiding unlawful re-incarceration. *See Young v. Harper*, 520 U.S. 143, 146-47 (1997); *Gagnon v. Scarpelli*, 411 U.S. 778, 781-82 (1973); *Morrissey v. Brewer*, 408 U.S. 471, 482-483 (1972).

34. In *Morrissey*, the Supreme Court examined the "nature of the interest" that a parolee has in "his continued liberty." 408 U.S. at 481-82. The Court noted that, "subject to the conditions of his parole, [a parolee] can be gainfully employed and is free to be with family and friends and to form the other enduring attachments

of normal life.” *Id.* at 482. The Court further noted that “the parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live up to the parole conditions.” *Id.* The Court explained that “the liberty of a parolee, although indeterminate, includes many of the core values of unqualified liberty and its termination inflicts a grievous loss on the parolee and often others.” *Id.* In turn, “[b]y whatever name, the liberty is valuable and must be seen within the protection of the [Fifth] Amendment.” *Morrissey*, 408 U.S. at 482.

35. This basic principle—that individuals have a liberty interest in their conditional release—has been reinforced by both the Supreme Court and the circuit courts on numerous occasions. *See, e.g., Young v. Harper*, 520 U.S. at 152 (holding that individuals placed in a pre-parole program created to reduce prison overcrowding have a protected liberty interest requiring pre-deprivation process); *Gagnon v. Scarpelli*, 411 U.S. at 781-82 (holding that individuals released on felony probation have a protected liberty interest requiring pre-deprivation process). As the First Circuit has explained, when analyzing the issue of whether a specific conditional release rises to the level of a protected liberty interest, “[c]ourts have resolved the issue by comparing the specific conditional release in the case before them with the liberty interest in parole as characterized by *Morrissey*.” *Gonzalez-Fuentes v. Molina*, 607 F.3d 864, 887 (1st Cir. 2010) (internal quotation marks and citation omitted). *See also, e.g., Hurd v. District of Columbia*, 864 F.3d 671, 683 (D.C. Cir. 2017) (“a person who is in fact free of physical confinement—even if that freedom is lawfully revocable—has a liberty interest that entitles him to constitutional due

process before he is re-incarcerated”) (citing *Young*, 520 U.S. at 152, *Gagnon*, 411 U.S. at 782, and *Morrissey*, 408 U.S. at 482).

36. In fact, it is well-established that an individual maintains a protectable liberty interest even where the individual obtains liberty through a mistake of law or fact. *See id.*; *Gonzalez-Fuentes*, 607 F.3d at 887; *Johnson v. Williford*, 682 F.2d 868, 873 (9th Cir. 1982) (noting that due process considerations support the notion that an inmate released on parole by mistake, because he was serving a sentence that did not carry a possibility of parole, could not be re-incarcerated because the mistaken release was not his fault, and he had appropriately adjusted to society, so it “would be inconsistent with fundamental principles of liberty and justice” to return him to prison) (internal quotation marks and citation omitted).

37. Here, when this Court “compar[es] the specific release in [Mr. Kim’s case], with the liberty interest in parole as characterized by *Morrissey*,” it is clear that they are strikingly similar. *See Gonzalez-Fuentes*, 607 F.3d at 887. Just as in *Morrissey*, Mr. Kim’s release “enables him to do a wide range of things open to persons” who have never been in custody or convicted of any crime, including to live at home, work, and “be with family and friends and to form the other enduring attachments of normal life.” *Morrissey*, 408 U.S. at 482.

Mr. Kim’s Liberty Interest Mandates a Hearing Before any Re-Arrest and Revocation of Release from Custody

38. Mr. Kim asserts that, here, (1) where his detention would be civil; (2) where he had been at liberty for 15 and a half years, during which time he has

complied with all conditions of release; (3) where no change in circumstances exist that would justify his lawful detention; and (4) where the only circumstance that has changed is ICE's move to arrest as many people as possible because of the new administration, due process mandates that he be released from his unlawful custody and receive notice and a hearing before a neutral adjudicator *prior* to any re-arrest or revocation of his custody release.

39. "Adequate, or due, process depends upon the nature of the interest affected. The more important the interest and the greater the effect of its impairment, the greater the procedural safeguards the [government] must provide to satisfy due process." *Haygood v. Younger*, 769 F.2d 1350, 1355-56 (9th Cir. 1985) (en banc) (citing *Morrissey*, 408 U.S. at 481-82). This Court must "balance [Mr. Kim's] liberty interest against the [government's] interest in the efficient administration of" its immigration laws in order to determine what process he is owed to ensure that ICE does not unconstitutionally deprive him of his liberty. *Id.* at 1357. Under the test set forth in *Mathews v. Eldridge*, this Court must consider three factors in conducting its balancing test: "first, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probative value, if any, of additional or substitute procedural safeguards; and finally the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements would entail." *Haygood*, 769 F.2d at 1357 (citing *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)).

40. The Supreme Court “usually has held that the Constitution requires some kind of a hearing *before* the State deprives a person of liberty or property.” *Zinerman v. Burch*, 494 U.S. 113, 127 (1990) (emphasis in original). Only in a “special case” where post-deprivation remedies are “the only remedies the State could be expected to provide” can post-deprivation process satisfy the requirements of due process. *Zinerman*, 494 U.S. at 985. Moreover, only where “one of the variables in the *Mathews* equation—the value of predeprivation safeguards—is negligible in preventing the kind of deprivation at issue” such that “the State cannot be required constitutionally to do the impossible by providing predeprivation process,” can the government avoid providing pre-deprivation process. *Id.*

41. Because, in this case, ICE is required to release Mr. Kim from his unlawful custody and provide Mr. Kim with notice and a hearing *prior* to any re-incarceration and revocation of his bond. *See Morrissey*, 408 U.S. at 481-82; *Haygood*, 769 F.2d at 1355-56; *Jones*, 393 F.3d at 932; *Zinerman*, 494 U.S. at 985; *see also Youngberg v. Romeo*, 457 U.S. 307, 321-24 (1982); *Lynch v. Baxley*, 744 F.2d 1452 (11th Cir. 1984) (holding that individuals awaiting involuntary civil commitment proceedings may not constitutionally be held in jail pending the determination as to whether they can ultimately be recommitted). Under *Mathews*, “the balance weighs heavily in favor of [Mr. Kim’s] liberty” and requires a pre-deprivation hearing before a neutral adjudicator.

Mr. Kim's Private Interest in His Liberty is Profound

42. Under *Morrissey* and its progeny, individuals conditionally released from serving a criminal sentence have a liberty interest that is “valuable.” *Morrissey*, 408 U.S. at 482. In addition, the principles espoused in *Hurd* and *Johnson*—that a person who is in fact free of physical confinement, even if that freedom is lawfully revocable, has a liberty interest that entitles him to constitutional due process before he is re-incarcerated—apply with even greater force to individuals like Mr. Kim, who have been released pending civil removal proceedings, rather than parolees or probationers who are subject to incarceration as part of a sentence for a criminal conviction. Parolees and probationers have a diminished liberty interest given their underlying convictions. *See, e.g., U.S. v. Knights*, 534 U.S. 112, 119 (2001); *Griffin v. Wisconsin*, 483 U.S. 868, 874 (1987). Nonetheless, even in the criminal parolee context, the courts have held that the parolee cannot be re-arrested without a due process hearing in which they can raise any claims they may have regarding why their re-incarceration would be unlawful. *See Gonzalez-Fuentes*, 607 F.3d at 891-92; *Hurd*, 864 F.3d at 683. Thus, Mr. Kim retains a truly weighty liberty interest even though he is under conditional release.

43. What is at stake in this case for Mr. Kim is one of the most profound individual interests recognized by our legal system: whether ICE may unilaterally nullify a prior decision releasing him from custody and to take away—without a lawful basis—his physical freedom, i.e., his “constitutionally protected interest in avoiding physical restraint.” *Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011)

(internal quotation omitted). “Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause.” *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992). *See also Zadvydas*, 533 U.S. at 690 (“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.”); *Cooper v. Oklahoma*, 517 U.S. 348 (1996).

44. Thus, it is clear that there is a profound private interest at stake in this case, which must be weighed heavily when determining what process he is owed under the Constitution. *See Mathews*, 424 U.S. at 334-35.

The Government’s Interest in Re-Incarcerating Mr. Kim Without a Hearing is Low and the Burden on the Government to Refrain from Re-Arresting Him Unless and Until He is Provided a Hearing That Comports with Due Process is Minimal

45. The government’s interest in detaining Mr. Kim without a due process hearing is low, and when weighed against Mr. Kim’s significant private interest in his liberty, the scale tips sharply in favor of enjoining Respondents to release Mr. Kim from his unlawful custody and refrain from re-arresting Mr. Kim unless and until the government demonstrates by clear and convincing evidence that he is a flight risk or danger to the community. It becomes abundantly clear that the *Mathews* test favors Mr. Kim when the Court considers that the process he seeks—notice and a hearing regarding whether he has violated any conditions of his release, and, if so, providing Mr. Kim with a hearing before this Court (or a neutral decisionmaker) to determine whether there is clear and convincing evidence that Mr. Kim is a flight risk or danger

to the community would impose only a *de minimis* burden on the government, because the government routinely provides this sort of hearing to individuals like Mr. Kim.

46. As immigration detention is civil, it can have no punitive purpose. The government's only interests in holding an individual in immigration detention can be to prevent danger to the community or to ensure a noncitizen's appearance at immigration proceedings. *See Zadvydas*, 533 U.S. at 690. In this case, the government cannot plausibly assert that it has any lawful basis for detaining Mr. Kim. Mr. Kim has lived at liberty complying with the conditions of his release since July 2009. His only criminal history pre-dates his 2009 release.

47. It is difficult to see how the government's interest in ensuring his presence at the moment of removal has materially changed since he was released in July 2009, when he has complied with all conditions of release. The government's interest in detaining Mr. Kim at this time is therefore low. That ICE has a new policy to make a minimum number of arrests each day under the new administration does not constitute a material change in circumstances or increase the government's interest in detaining him.¹

¹ See "Trump officials issue quotas to ICE officers to ramp up arrests," *Washington Post* (January 26, 2025), available at: <https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota/>; "Stephen Miller's Order Likely Sparked Immigration Arrests And Protests," *Forbes* (June 9, 2025), <https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/> ("At the end of May 2025, 'Stephen Miller, a senior White House official, told Fox News that the White House was looking for ICE to arrest 3,000 people a day, a major increase in enforcement. The agency had arrested more than 66,000 people in the first 100 days of the Trump administration, an average of about 660 arrests a day,' reported the New York Times. Arresting 3,000 people daily would surpass 1 million arrests in a calendar year.").

48. Moreover, the “fiscal and administrative burdens” that his immediate release and a lawful pre-detention hearing would impose is nonexistent in this case. *See Mathews*, 424 U.S. at 334-35. Mr. Kim does not seek a unique or expensive form of process, but rather a routine hearing regarding whether his bond should be revoked and whether he should be re-incarcerated.

49. As the Ninth Circuit noted in 2017, which remains true today, “[t]he costs to the public of immigration detention are ‘staggering’: \$158 each day per detainee, amounting to a total daily cost of \$6.5 million.” *Hernandez*, 872 F.3d at 996. ICE’s unlawful action of placing him in custody is more of a financial burden than releasing him and providing any pre-custody hearing before any future re-arrest occurs.

50. In the alternative, providing Mr. Kim with a hearing before this Court (or a neutral decisionmaker) regarding release from custody is a routine procedure that the government provides to those in immigration jails on a daily basis. At that hearing, the Court would have the opportunity to determine whether circumstances have changed sufficiently to justify his re-arrest. But there is no justifiable reason to re-incarcerate Mr. Kim prior to such a hearing taking place. As the Supreme Court noted in *Morrissey*, even where the State has an “overwhelming interest in being able to return [a parolee] to imprisonment without the burden of a new adversary criminal trial if in fact he has failed to abide by the conditions of his parole . . . the State has no interest in revoking parole without some informal procedural guarantees.” *Morrissey*, 408 U.S. at 483.

51. Releasing Mr. Kim from unlawful custody and enjoining his re-arrest until ICE (1) moves for a bond re-determination before an IJ and (2) demonstrates by clear and convincing evidence that Mr. Kim is a flight risk or danger to the community is far *less* costly and burdensome for the government than keeping him detained.

Without a Due Process Hearing Prior to Any Re-Arrest, the Risk of an Erroneous Deprivation of Liberty is High, and Process in the Form of a Constitutionally Compliant Hearing Where ICE Carries the Burden Would Decrease That Risk

52. Releasing Mr. Kim from unlawful custody and providing him a pre-deprivation hearing would decrease the risk of him being erroneously deprived of his liberty. Before Mr. Kim can be lawfully detained, he must be provided with a hearing before a neutral adjudicator at which the government is held to show that there has been sufficiently changed circumstances such that ICE's July 2009 release from custody determination should be altered or revoked because clear and convincing evidence exists to establish that Mr. Kim is a danger to the community or a flight risk.

53. On February 25, 2025, Mr. Kim did not receive this protection. Instead, he was detained by ICE, without notice.

54. By contrast, the procedure Mr. Kim seeks—a hearing in front of a neutral adjudicator at which the government must prove by clear and convincing evidence that circumstances have changed to justify his detention *before* any re-arrest—is much more likely to produce accurate determinations regarding factual

disputes, such as whether a certain occurrence constitutes a “changed circumstance.” *See Chalkboard, Inc. v. Brandt*, 902 F.2d 1375, 1381 (9th Cir. 1989) (when “delicate judgments depending on credibility of witnesses and assessment of conditions not subject to measurement” are at issue, the “risk of error is considerable when just determinations are made after hearing only one side”). “A neutral judge is one of the most basic due process protections.” *Castro-Cortez v. INS*, 239 F.3d 1037, 1049 (9th Cir. 2001), *abrogated on other grounds by Fernandez-Vargas v. Gonzales*, 548 U.S. 30 (2006). The Ninth Circuit has noted that the risk of an erroneous deprivation of liberty under *Mathews* can be decreased where a neutral decisionmaker, rather than ICE alone, makes custody determinations. *Diouf v. Napolitano* (“*Diouf II*”), 634 F.3d 1081, 1091-92 (9th Cir. 2011).

55. Due process also requires consideration of alternatives to detention at any custody redetermination hearing that may occur. The primary purpose of immigration detention is to ensure a noncitizen’s appearance during removal proceedings. *Zadvydas*, 533 U.S. at 697. Detention is not reasonably related to this purpose if there are alternatives to detention that could mitigate risk of flight. *See Bell v. Wolfish*, 441 U.S. 520, 538 (1979). Accordingly, alternatives to detention must be considered in determining whether Mr. Kim’s re-incarceration is warranted.

CLAIMS FOR RELIEF

COUNT ONE

STATUTORY VIOLATION

56. Mr. Kim re-alleges and incorporates by reference paragraphs 1 through 55 above.

57. Mr. Kim's continued detention by the Respondent violates 8 U.S.C. § 1231 (a)(6), as interpreted in *Zadvydas*. Mr. Kim's six-month presumptively reasonable period for continued removal efforts passed more than ten months ago. For the reasons outlined above in paragraphs 1 to 25, Petitioner's removal to Iraq is not reasonably foreseeable. The Supreme Court held in *Zadvydas* that the continued detention of someone after six months where deportation is not reasonably foreseeable is unreasonable and in violation of 8 U.S.C. § 1231(a). 533 U.S. at 701.

COUNT TWO

SUBSTANTIVE DUE PROCESS VIOLATION

58. Mr. Kim re-alleges and incorporates by reference paragraphs 1 through 55 above.

59. Mr. Kim's continued detention violates his right to substantive due process by depriving him of his core liberty interest to be free from bodily restraint. *See, e.g., Tam v. INS*, 14 F.Supp.2d 1184 (E.D. Cal 1998)(aliens retain substantive due process rights). The Due Process Clause requires that the deprivation of petitioner's liberty be narrowly tailored to serve a compelling government interest. *See Reno v. Flores*, 507 U.S. 292, 301-02 (1993). While the respondents would have a compelling government interest in detaining Mr. Kim in order to effect his

deportation, that interest does not exist if Petitioner cannot be deported. The Supreme Court in *Zadvydas* thus interpreted 8 U.S.C. § 1231(a) to allow continued detention only for a period reasonably necessary to secure the alien's removal because any other reading would go beyond the government's articulated interest-- to effect the alien's removal. See *Kay v. Reno*, 94 F.Supp.2d 546, 551 (M.D. Pa. 2000) (granting writ of habeas corpus because petitioner's substantive due process rights were violated, and noting that "[i]f deportation can never occur, the government's primary legitimate purpose in detention--executing removal--is nonsensical").

COUNT THREE

PROCEDURAL DUE PROCESS VIOLATION

60. Petitioner re-alleges and incorporates by reference paragraphs 1 through 55 above.

61. Under the Due Process Clause of the United States Constitution, an alien is entitled to a timely and meaningful opportunity to demonstrate that he should not be detained. In the instant case, Mr. Kim has been denied that opportunity as there is no administrative mechanism in place for him to demand a decision, ensure that a decision will ever be made, or appeal a custody decision that violates *Zadvydas*.

PRAYER FOR RELIEF

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

- 1) Assume jurisdiction over this matter;
- 2) Grant Mr. Kim a writ of habeas corpus directing the Respondents to immediately release him from custody, under reasonable conditions of supervision;
- 3) Order Respondents to refrain from transferring Mr. Kim out of the jurisdiction of this Court during the pendency of these proceedings and while the Petitioner remains in Respondent's custody; and
- 4) Grant any other and further relief which this Court deems just and proper.

I affirm, under penalty of perjury, that the foregoing is true and correct.

Respectfully submitted this 15th day of August, 2025.

/s/ Helen L Parsonage

Helen L. Parsonage, Esq.
GA Bar No. 435330
Elliot Morgan Parsonage PLLC
328 N Spring Street
Winston-Salem, NC 27101
Telephone: (336) 724 2828
hparsonage@emplawfirm.com
Attorney for Petitioner

CERTIFICATE OF COMPLIANCE

I hereby certify that the document to which this certificate is attached has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1 for documents prepared by computer.

/s/ Helen L Parsonage

Helen L. Parsonage, Esq.
GA Bar No. 435330
Elliot Morgan Parsonage PLLC
328 N Spring Street
Winston-Salem, NC 27101
Telephone: (336) 724 2828
hparsonage@emplawfirm.com
Attorney for Plaintiff

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

Vladimir KIM

(b) County of Residence of First Listed Plaintiff Stewart
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Helen Parsonage, Elliot Morgan Parsonage, 328 n Spring
Street, Winston-Salem, NC 27101

DEFENDANTS

Terrance Dickerson, Todd Lyons, George Sterling, Kristi
NoemCounty 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)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 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 | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS ☒ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

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):

28 U.S.C. § 2241(c)(1)

Brief description of cause:

Habeas

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

08/15/2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Helen Parsonage

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 cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

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

EXHIBIT A

In removal proceedings under section 240 of the Immigration and Nationality Act:Subject ID : FIN # : File No: A 

DOB: 01/31/1984

Event No: ATL0902000995

In the Matter of:

Vladimir A KIM

Respondent: 

currently residing at:

GEORGIA 30303

(Number, street, city and ZIP code)

(Area code and phone number)

- ☐ 1. You are an arriving alien.
- ☐ 2. You are an alien present in the United States who has not been admitted or paroled.
- ☒ 3. 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 UZBEKISTAN and a citizen of UZBEKISTAN;
3. You were admitted to the United States at or near Atlanta, GA on or about August 18, 2000 as a Lawful Permanent Resident DV3;
4. You were, on September 30, 2008, convicted in the Superior Court of Fulton County State of Georgia for the offense of aggravated assault with a deadly weapon, in violation of O.C.G.A. 16-5-21;
5. You were sentenced to a term of imprisonment of 7 years.
6. You were, on September 30, 2008, convicted in the Superior Court of Fulton County State of Georgia for the offense of burglary in violation of O.C.G.A. 16-7-1.
7. You were sentenced to a term of imprisonment of 7 years.

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:

See Continuation Page Made a Part Hereof

- ☐ 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(f)(2) ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
180 Spring Street SW Suite 214 Atlanta GEORGIA US 30303

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

on a date to be set at a time to be set to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

ADONNIS T. SMITH

SDDO

(Signature and Title of Issuing Officer)

Date: February 19, 2009

Atlanta, GA

(City and State)

See reverse for important information

Notice to Respondent

Warning: Any 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 under 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 3.16. 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, which 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 and that you are inadmissible or removable on the charges contained in the Notice to Appear. 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 departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court 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 one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at <http://www.ice.gov/about/dro/contact.htm>. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 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 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 Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

A. Rinos, 10A

(Signature and Title of Immigration Officer)

K. Vladimir
(Signature of Respondent)

Date: _____

Certificate of Service

This Notice To Appear was served on the respondent by me on 03/06/2009 in the following manner and in compliance with section 239(a)(1)(F) 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.

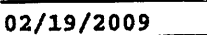
The alien was provided oral notice in the English language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

K. Vladimir
(Signature of Respondent if Personally Served)

A. Rinos, 10A
(Signature and Title of officer)

EXHIBIT B

Vladimir A KIM

Event No: 
File No: 

Date: 02/19/2009

FIN#: 
ATLANTA, GEORGIA 30303

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that pending a final determination by the immigration judge in your case, and in the event you are ordered removed from the United States, until you are taken into custody for removal, you shall be:

- ☒ detained in the custody of the Department of Homeland Security.
☐ released under bond in the amount of \$ _____
☐ released on your own recognizance.

- ☐ You may request a review of this determination by an immigration judge.
☒ You may not request a review of this determination by an immigration judge because the Immigration and Nationality Act prohibits your release from custody.

ADONNIS T. SMITH

(Signature of authorized officer)

SDDO

(Title of authorized officer)

Atlanta, GA

(Office location)

- ☐ I do ☒ do not request a redetermination of this custody decision by an immigration judge.
☒ I acknowledge receipt of this notification.

K. Vladimir

(Signature of respondent)

03/06/2009

(Date)

RESULT OF CUSTODY REDETERMINATION

On _____, custody status/conditions for release were reconsidered by:

- ☐ Immigration Judge ☐ DHS Official ☐ Board of Immigration Appeals

The results of the redetermination/reconsideration are:

- ☐ No change - Original determination upheld. ☐ Release - Order of Recognizance
☐ Detain in custody of this Service. ☐ Release - Personal Recognizance
☐ Bond amount reset to _____ ☐ Other: _____

(Signature of officer)

EXHIBIT C

Automated Case Information

Name: KIM, VLADIMIR A | A-Number: 



Next Hearing Information



There are no future hearings for this case.



Court Decision and Motion Information

The immigration judge ordered **REMOVAL**.

DECISION DATE

April 2, 2009

COURT ADDRESS

180 TED TURNER DR SW, STE 241
ATLANTA, GA 30303



BIA Case Information

No appeal was received for this case.



Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

COURT ADDRESS

180 TED TURNER DR SW, STE 241
ATLANTA, GA 30303

PHONE NUMBER

(404) 653-2140

EXHIBIT D



U.S. Immigration
and Customs
Enforcement

VLADIMIR, Kim
Etowah County Detention Center
Gadsden, Alabama



Release Notification

Upon review of your case, U.S. Immigration and Customs Enforcement (ICE) has concluded that you may be released from ICE custody pending your removal from the United States. This release does not affect your removal order and does not constitute an admission to the United States.

Your release will be subject to certain written conditions that will be provided to you shortly on the Order of Supervision and Addendum to the Order of Supervision forms, and by which you must abide. A violation of one or more of these conditions, or of any local, state or federal law may result in your being taken back into custody and any bond that you may have posted being forfeited. Your release from custody is also conditioned upon your maintaining proper behavior while sponsorship and placement efforts for you are being undertaken.

Prior to your release from custody, an immigration officer may verify the sponsorship or employment offers presented during your review. Please forward any additional information regarding potential sponsoring family members or non-governmental organizations that may be willing to assist you upon release.

It is particularly important that you keep ICE advised of your address at all times. ICE will continue to make efforts to obtain your travel document that will allow the United States government to carry out your removal pursuant to your order of deportation, exclusion, or removal. In addition, you are required by law to continue to make good faith efforts to secure a travel document on your own and provide proof of your efforts to ICE. Once a travel document is obtained, you will be required to surrender to ICE for removal. You will, at that time, be given an opportunity to prepare for an orderly departure.



Felicia S. Skinner, Field Office Director

7/23/07
Date

ALIEN COPY

EXHIBIT E

Coat of Arms

Consulate General of
the Republic of Uzbekistan

New York

801 Second Avenue, 20th Floor, New York, NY 10017

Phone: (212) 754-7403

Fax: (212) 838-9812

January 28, 2019

REFERENCE LETTER

In accordance with the Decree of the President of the Republic of Uzbekistan No.PF-4477 effective on October 17, 2012, Vladimir Alexandrovich Kim (date of birth: , who was born in Nukus, the Republic of Karakalpakstan, has renounced his citizenship of the Republic of Uzbekistan.

Consul

Signature

U. Akhmedov

Round seal

Certification of Accuracy of Translation

Comes now Dmitriy Goroshin who, being first duly sworn deposes and says:

"My name is Dmitriy Goroshin. I am a resident of Alpharetta in Fulton County in Georgia."

"I am not related by blood or marriage to the parties concerned in the attached translated documents."

"I am thoroughly familiar with and have received advanced academic training in translating both the English and the Russian languages."

"I have made the attached translation from Russian to English, and hereby certify that the same is a true and complete translation to the best of my knowledge, ability, and belief."

"I hereby agree to keep the contents of this translation confidential according to the ethical and legal principles of the translation profession. I agree not to discuss, judge, distribute or reproduce any information in or related to the translation of this document."

Address: 3855 Holcomb Bridge Rd., Suite 300, Norcross, GA 30092
Telephone: (770) 447-0208

Translator: 
/Dmitriy Goroshin/

(FOR NOTARY USE ONLY)

County of Fulton State of GA I, the undersigned authority, a Notary Public in and for said Country, in said County/Province, hereby certify that, whose name is signed to the foregoing Certification of Accuracy of Translation, and who is known to me, acknowledged before me on this day that, having examined the contents of the above statement, the same is true and correct to the best of his/her knowledge and belief, and he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 27 day of March, 2025.



Notary Public Signature

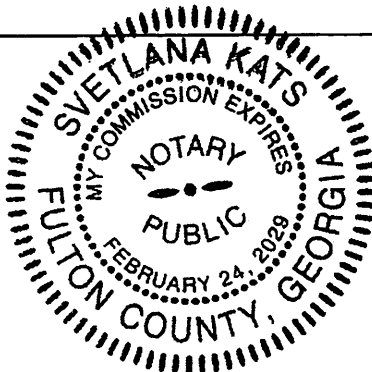


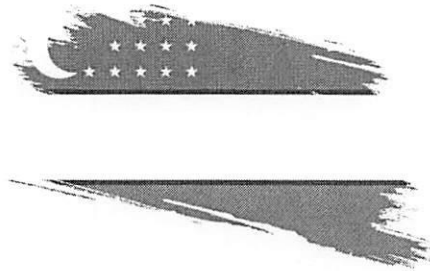
EXHIBIT F

Uzbekistan

 ishr.org/uzbekistan-the-republic-of-karakalpakstan-and-the-2022-unrest

PIRON

April 17, 2025



The Republic of Karakalpakstan, a sovereign democratic republic within Uzbekistan, occupies a significant portion of the country's northwestern territory, spanning 166,590 km² and housing approximately 2 million people. Its capital, Nukus, serves as a cultural center, notably hosting the Savitsky Museum with its collection of Russian avant-garde art. The population is diverse, primarily comprising ethnic Karakalpaks, Uzbeks, and Kazakhs, with the **Karakalpaks being a Turkic-speaking group** culturally and linguistically closer to Kazakhs than Uzbeks. Historically, the region was part of the Khorezm Empire and Khanate of Khiva, becoming autonomous under Soviet rule in 1925 and integrated into Uzbekistan in 1936. Since Uzbekistan's independence in 1991, Karakalpakstan retained its autonomous status, with **Article 89 of the Constitution** granting it the right to secede via referendum, a provision central to recent tensions.

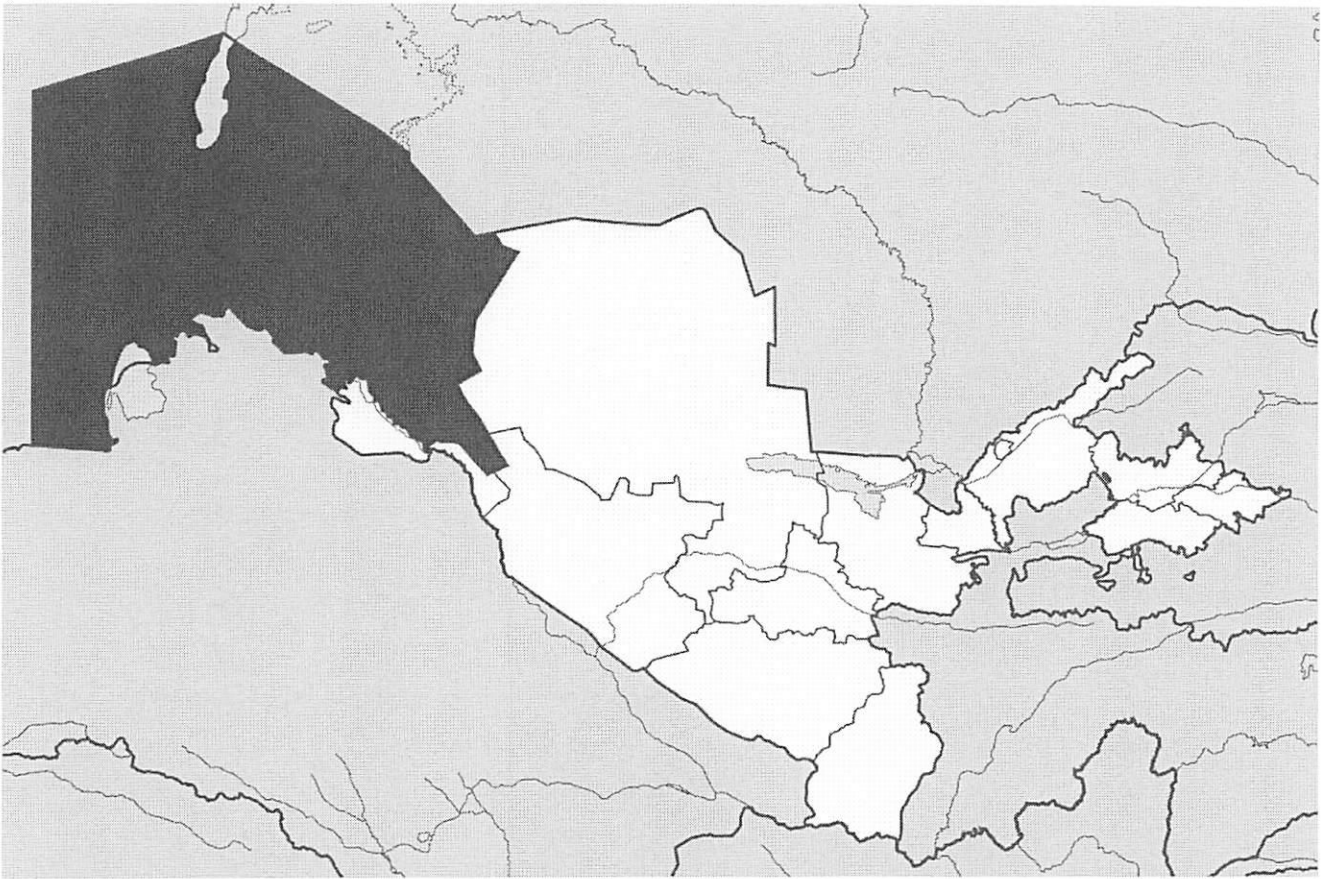


Figure 1: Karakalpakstan in Uzbekistan. By TUBS – This vector image includes elements that have been taken or adapted from [this file](#) (CC BY-SA 3.0)

Autonomy within Uzbekistan

Karakalpakstan's modern relationship with Uzbekistan was shaped during the Soviet era. The Karakalpak people, culturally and linguistically close to Kazakhs, were first organized into an autonomous oblast in 1925, which became the Karakalpak Autonomous Soviet Socialist Republic (ASSR) in 1932. In 1936, the Karakalpak ASSR was transferred from Russian and Kazakh jurisdiction to the Uzbek Soviet Socialist Republic. As a result, when Uzbekistan gained independence in 1991, Karakalpakstan became part of the new nation.

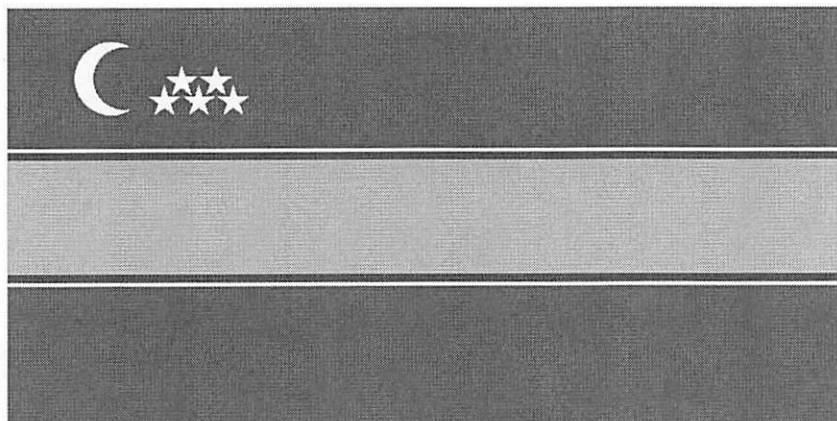


Figure 2: The republic of Karakalpakstan's flag

In 1993, Karakalpakstan adopted its own constitution declaring itself a “sovereign” republic within Uzbekistan as long as it complies with Uzbekistan laws, with the **constitutional right to secede by referendum** after 20 years. This special status – virtually unheard of elsewhere in Central Asia – was intended to safeguard Karakalpakstan's autonomy and rights within the Uzbek state. However, in reality the autonomy has remained limited: Karakalpakstan can only exercise powers in compliance with Uzbek law, and key decisions are often controlled by Tashkent. For example, the region's top officials (such as the Chairman of the Zhukargi Kenes, the local parliament) are effectively approved by Uzbekistan's president. After the riots, in August 2022, President Shavkat Mirziyoyev (President of the Republic of Uzbekistan since 2016) proposed Amanbay Orynbayev, who was the Minister of Internal Affairs of the Republic of Karakalpakstan during the bloody events of July 1-2 and who took an active part in suppressing the peaceful demonstration of Karakalpakstanis, for the post of chairman at the session of the Zhukargi Kenes of Karakalpakstan, illustrating the center's influence over the republic's governance.

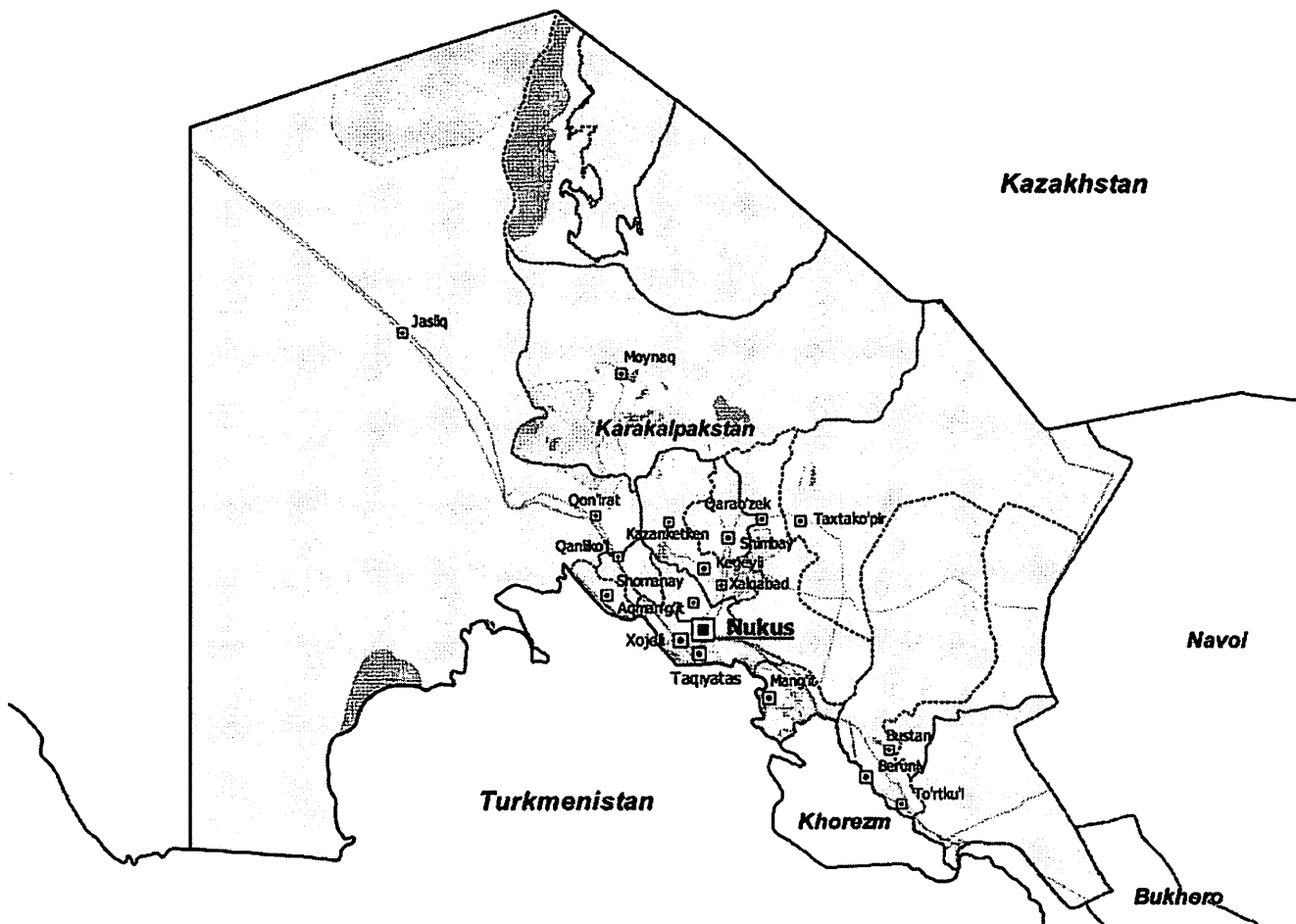


Figure 3: Map of the Republic Karakalpakstan highlighting its capital and the most populated cities. By [Dae1286](#) (CC BY-SA 4.0)

Legal Framework for Human Rights

Uzbekistan's 1992 Constitution outlines protections for human rights, including equality, life, and freedoms of thought and expression, yet implementation has been inconsistent, as noted by international bodies. Karakalpakstan operates under its own constitution, aligned with Uzbekistan's, with the Jokargy Kenes legislating on local matters. Jokargy Kenes refers to the supreme representative and legislative body of the Republic of Karakalpakstan formed under Constitution of the Republic of Karkalpakstan, adopted on 9 April 1993.

Recent reforms include the National Strategy for Human Rights, aiming to enhance legal frameworks and institutions, with regional implementation monitored quarterly by local councils, including Karakalpakstan's Jokargy Kenes. A notable achievement was the 2019 closure of the Jaslyk prison, known for abuses, seen as a humanitarian step. However, the International Society for Human Rights (ISHR) has no choice but to continue reporting ongoing violations, particularly in political freedoms and detainee treatment.

The 2022 Protests and Human Rights Violations

In July 2022, Karakalpakstan experienced the largest unrest in its post-Soviet history. The Uzbek government had unveiled draft constitutional amendments that, among other changes, **sought to strip Karakalpakstan of its “sovereign” status and its right to secede**. News of these plans sparked outrage in Karakalpakstan's capital, Nukus, and other areas. On July 1–2, 2022, thousands of people took to the streets in **mostly peaceful protests** against the proposed amendments. Protesters also demanded the release of a local blogger and lawyer, Dauletmurat Tazhimuratov, who had been detained and received a 16-year prison sentence after calling for a peaceful non-violent rally. The authorities responded with force. According to UN experts, Uzbek security forces **used unjustified lethal force**, including live ammunition and stun grenades, to disperse the crowds. A state of emergency was declared in Karakalpakstan, and the region was put on lockdown with curfews and internet blackouts to quell the unrest.

The violence resulted in significant casualties. The Uzbek Prosecutor General's Office reported that **21 people were killed and 274 injured** during the unrest. (This included some law enforcement personnel among the dead.) Independent observers believe the actual toll may have been higher, given the chaos and restricted information flow. President Mirziyoyev, in an unusual move, traveled to Nukus on July 2 in the midst of the crisis. He **announced that the controversial constitutional changes affecting Karakalpakstan would be withdrawn**, effectively bowing to the protesters' core demand. This concession averted further escalation, but a heavy-handed crackdown followed. More than **500 people were arrested** in the days after the protests, and many detainees were reportedly subjected to ill-treatment or torture while in custody.

Over the subsequent months, Uzbek authorities initiated large group trials for those accused of involvement in the July 2022 events. In two high-profile trials (held outside Karakalpakstan, in Bukhara for security reasons), **61 defendants** – including activists,

bloggers, lawyers, and journalists – were prosecuted on charges such as rioting, separatism, and attempting to overthrow the constitutional order. However, concerns regarding trial process affected the proceedings, since reports stated some suspects were held without being able to talk to their lawyers and were forced to confess. Yet, in January 2023, the first trial concluded with sentences ranging up to 16 years in prison, including a 16-year sentence for Dauletmurat Tazhimuratov, identified as one of the protest organizers. A second trial in March 2023 similarly issued prison terms (up to 11 years) to many participants. While a number of those convicted later had their sentences reduced or suspended on appeal, most of the principal figures remain behind bars. Tazhimuratov's 16-year sentence was upheld on appeal, despite his testimony that he was **tortured in custody (beaten, electrically shocked, and even stood on until he lost consciousness)**. His allegations of torture were not effectively investigated by authorities.

Also, International reactions to the 2022 Karakalpakstan events reflected a clear divide. Countries like **China** expressed firm support, with its Foreign Ministry stating that it **"supports the Uzbek government in maintaining national stability."** **Russia** emphasized that the unrest was a **"domestic affair"** and called for resolving concerns through **"legal means rather than rioting."** **Kazakhstan** and **Turkmenistan** echoed support, praising Uzbekistan's leadership for its **"timely and decisive actions"** to preserve order. **Turkey** expressed confidence that the issues would be resolved **"with common sense and in an atmosphere of peace and tranquility."** In contrast, Western responses were more critical: the **European Union** urged authorities to **"guarantee human rights, including the fundamental rights to freedom of expression and freedom of assembly,"** while the **United States** called on Tashkent to **"protect all fundamental rights"** and urged **"an investigation into the violence."** This divergence highlights differing geopolitical perspectives and priorities between regional allies and international human rights advocates.

In early July 2022, the German Section of the International Society for Human Rights (ISHR) expressed deep concern over the Uzbek government's proposed constitutional amendments that would have revoked Karakalpakstan's right to secede via referendum, a right enshrined since 1993. The ISHR highlighted the government's forceful response, which included internet disruptions, arrests of activists and bloggers, and the deployment of National Guard units from other regions. Back then, the ISHR emphasized that the situation remained volatile, underscoring the need for genuine respect for regional autonomy and the protection of fundamental rights.

After the July events of 2022, Tashkent allocated certain financial assistance to Karakalpakstan and provided a number of benefits. However, the measures taken do not sufficiently minimize the problems that have arisen in the region. Unemployment remains high and many Karakalpakstan residents are forced to look for work in Kazakhstan and Russia. Moreover, the environmental situation associated with the drying up of the Aral Sea

is of particular concern. Karakalpakstan, which is located at the end of the Amu Darya, is experiencing an acute shortage of water. In connection with the canal from the Amu Darya being prepared in Afghanistan, an even greater shortage of water is expected in the region.

Conclusion

Nearly **three years on, justice for the victims of the crackdown remains unclear**. On August 4 2023, an Uzbek court sentenced two police officers to seven years for torture and another to three years for perjury and negligence resulting in a death. No other officers have been held responsible for the 21 deaths and numerous injuries, and the parliamentary commission investigating the abuses has yet to release any findings. International observers have criticized this lack of transparency and justice. **Freedom House** called the security forces' use of live ammunition against largely peaceful Karakalpak demonstrators "excessive and unjustifiable," noting that the government's inquiry has yielded little action or accountability. Human Rights Watch likewise reported that Uzbekistan's leadership has "failed to ensure justice" for those killed, and instead has intensified repression of Karakalpak activists since the unrest. The **European Union, United Nations human rights experts, and other organizations** urged an independent investigation into the violence, but meaningful steps toward accountability have been limited so far.

By Salijon Abdurakhmanov and Mohammad Mohseni

Salijon Abdurakhmanov (born May 28, 1950, in the Amu Darya region of Karakalpakstan) is a renowned Uzbek journalist and human rights defender. He became internationally known as one of the famous political prisoners of Uzbekistan, after being sentenced in 2008 to ten years in prison on fabricated drug charges. Leading human rights organizations, including Amnesty International, declared him a prisoner of conscience and called for his immediate release. He was finally freed in 2017 after spending over nine years behind bars.

Since 2002, Abdurakhmanov has been closely associated with the International Society for Human Rights (ISHR) acting in recent years as the main contact person for the ISHR in Uzbekistan. He is a vital independent voice, particularly regarding the human rights situation in Uzbekistan and in the sovereign democratic republic of Karakalpakstan.



Picture: Abdurakhmanov at the International Council Meeting in Bonn – March 2025

Abdurakhmanov is deeply integrated into ISHR's global network, which values his expertise and greatly benefits from his contributions. Most recently, on March 30, 2025, he spoke at ISHR's International Council Meeting in Bonn, delivering an in-depth report to ISHR country representatives from around the world on the current human rights situation in Karakalpakstan.

His tireless commitment to freedom of expression and human rights was recognized in 2014 when he received the Johann Philipp Palm Award for Freedom of Speech and the Press.

Webinar Invitation: “Karakalpakstan – Three Years After the Protests”

 **1 July 2025** |  **16:00 CET** |  **Online Event**

On the third anniversary of the historic protests in Karakalpakstan, join us for an in-depth webinar featuring **Salijon Abdurakhmanov**, renowned journalist, human rights defender, and ISHR's key contact for Uzbekistan.

In July 2022, the people of Karakalpakstan took to the streets in a courageous stand for autonomy, justice, and freedom of expression. Their peaceful protests were met with brutal force, resulting in deaths, hundreds of arrests, and ongoing political repression. What has changed since then? What has not? And what must the international community do to keep the spotlight on Karakalpakstan?

 In this exclusive webinar, Salijon Abdurakhmanov —himself a former political prisoner and one of the world's most respected independent voices on Uzbekistan—will offer firsthand insights into:

- The human rights aftermath of the 2022 protests
- The situation of key political prisoners like Dauletmurat Tazhimuratov
- The role of international actors and why global attention still matters
- What civil society can do today to support victims and defenders

Don't miss this unique opportunity to hear from a powerful voice who continues to speak out —where others are silenced.

Registration is free. The event will be held in English. Simultaneous interpretation into Russian will be available.

Hosted by the **International Society for Human Rights (ISHR)**.

[Register Here](#)

EXHIBIT G

File No: ~~XXXXXXXXXX~~
Date: 7/28/2009

Name: VLADIMIR, Kim

~~ATD (GPS)~~

on 04/02/2009, you were ordered:
(Date of final order)

~~ATD (ESB)~~

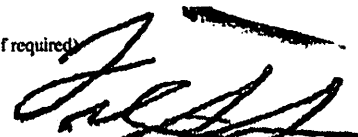
- ☐ Excluded or deported pursuant to proceedings commenced prior to April 1, 1997.
- ☒ Removed pursuant to proceedings commenced on or after April 1, 1997.
- ☐ Granted Deferral of Removal Under CAT by the Immigration Judge.
- ☐ Granted Withholding of removal by Immigration Judge.

Because ICE has not effected your deportation or removal during the period prescribed by law or due to special circumstances, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

- ☒ That you appear in person at the time and place specified, upon each and every request of ICE, for identification and for deportation or removal.
- ☒ That upon request of ICE, you appear for medical or psychiatric examination at the expense of the United States Government.
- ☒ That you provide information under oath about your nationality, circumstances, habits, associations, and activities and such other information as ICE considers appropriate.
- ☒ That you do not travel outside State of Georgia for more than 48 hours without first
(Specify geographic limits, if any)
having notified this ICE office of the dates and places of such proposed travel.
- ☒ That you furnish written notice to this ICE office of any change of residence or employment within 48 hours of such change.
- ☒ That you report in person on September 1st, 2009 at 8:00 AM Tuesday, to this ICE office at:
Atlanta Field Office, 180 Spring Street, SW Atlanta, Georgia 30303 unless you are granted written permission to report on another date.
- ☒ That you assist Immigration and Customs Enforcement (ICE) in obtaining any necessary travel documents.
- ☒ Other: That you abide by all Local, State, and Federal Laws.
- ☒ See attached sheet containing other specified conditions (Continue on separate sheet if required)

~~XXXXXXXXXX~~

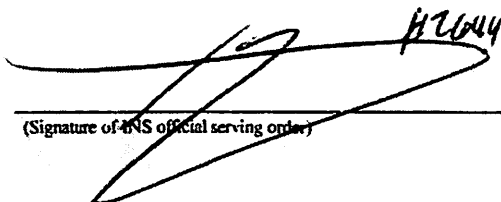
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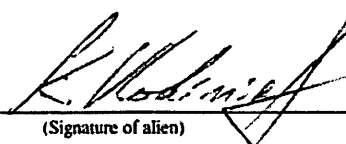

(Signature of ICE official)

Felicia S. Skinner, FOD
(Print name and title of ICE official)

Alien's Acknowledgment of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English (language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.


(Signature of DHS official serving order)


(Signature of alien)

07/28/2009
Date

ALIEN COPY

File No : A 

Date: 7/28/2009

☒ That you do not associate with known gang members, criminal associates, or be associated with any such activity.

☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a program counselor.

☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.

☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.

☒ That you do not commit any crimes while on this Order of Supervision.

☒ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officers name, address, telephone number, and reporting requirements. Gwinnet County Probation 770-339-2222

☒ That you continue to follow any prescribed doctors orders whether medical or psychological including taking prescribed medications.

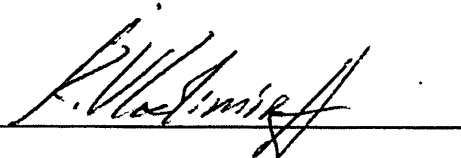
☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of travel document.

☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.

☒ Any violation of the above conditions may result in revocation of your employment authorization document.

☒ Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.

☒ Other:

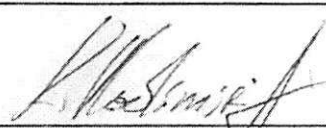
Alien's Signature: 

U.S. Department of Homeland Security
Immigration and Customs Enforcement

Continuation Page for Form: I-220B

Alien's Name: VLADIMIR, Kim No Longer on ATD

File Number: A Date: 7/28/2009

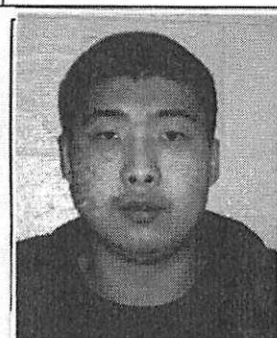
Alien's Signature:  ~~ATD (ESR)~~

Alien's Address: C/O Svetlana Pak (Mother)

Alien's Telephone Number (if any): [REDACTED] ~~ATD (OPS)~~

Home Ph: [REDACTED] SS- [REDACTED]

Subject's DOB: [REDACTED] UZBEK

RIGHT INDEX PRINT: 

BA DL [REDACTED]

PERSONAL REPORT RECORD

DATE	NEXT REPORT DATE	COMMENT/CHANGES
7/28/2009	9/1/2009	FIRST OSUP REPORT DATE
09-01-09 SUBS RPT FOR OSUP, MUST SUBMIT TO REQUEST TO EMBASSY VIA CERTIFIED RECEIPT RETURN AND PROVIDE ICE W/PROOF ON NEXT REPORT DECEMBER 01, 2009. 577mk		
12/01/09 Rptd ATL/ERO. Neg chks. Next Rpt date 6/1/10 @ 8A		
6/1/10 Rptd ATL/ERO. Neg chks. Next Rpt date 11/30/10 @ BT		
11-30-2010 Rptd ATL/ERO Neg check Next report date 3-8-2011 @ C		
3/8/2011 Rptd on this date Next Report date July 20, @ 9:00 AM		
Reported 7-20-2011 NRD - 10-12-2011 @ 8:00 AM		
OCT 12 2011 REPORTED TO ATL/ERO. NEG check. Next Report 12/07/2011 @ 9:00 AM		
DEC 07 2011 REPORTED TO ATL/ERO. NEG W/W. Next Report MARCH 5, 2012 @ 9:00 AM		
3/5/12 WELC NEG; NEXT REPORT DATE 5/10/12 @ 8:00 A.M.		
5/21/12- REPORTED @ ATL/ERO; NEXT REPORT DATE 8/21/12 @ 8:00 A.M.		
8/21/12- REPORTED @ ATL/ERO; NEXT REPORT DATE 1/31/13 @ 8:00 A.M.		
1/31/13- REPORTED TO ATL/ERO, NRD FEB. 4, 2014 @ 8:00 A.M.		
2/5/14- REPORTED TO ATL/ERO; NRD 8/19/14 @ 8:00 A.M. REPORTING		
HRS ARE 8:00 A.M. - 10:00 A.M.		
08/19/2014 next report on: 8/20/2015 @ 8AM.		
8/20/2015 Next Report ON 8/12/2016.		
8-16-2016 (TR) Next Report Date August 31, 2017 At 8:45AM		
8/31/2017 Next report Feb 27, 2018		
2/27/18 Next Report + May 29, 2018		

DHS / Enforcement & Removal Operations
 180 Ted Turner Drive, SW
 Atlanta, GA 30303
 Ph: 404-893-1224 / Fax 404-893-1341
 EOIR (800) 898-7180 (2)

Present paperwork at all ICE interviews**

Name:

DOB:

Alien's A#:

5/29/18	8/29/18 9am	With ^{diurnal} Letter from Embassy
8/29/18	HT	Next report 2/27/19 8am
2/27/2019	8/29/2019	Next report 8/29/2019 @ 8 A.M.
8-29/19	NDU/RC	Next report is April 08, 2020
6-25/20	12/02/2020	Next report is December 02, 2020
12/02/2020	12/02/2021 7AM	Next report December 02, 2021
12/02/2021	8/25/22 7AM	Next Report August 25/2022
09/28/2022	08/27/2023 8AM	NRD, bring evidence of attempt to get travel documents
2/17/23	CART	Enrolled in CART.
		Report to machine on
		AC Colston, A. 9455
2/25/25	Report to ICE	

Next Reporting Date:

February 20, 2024 between 10:00 AM and 12:00 PM

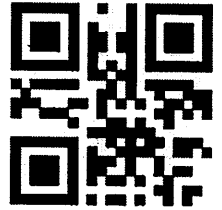
Participant reported on N/A. Identity verified through CART. System check show no new/derogatory information.
No wants, no warrants.

For information on an Immigration court case, please go to: <https://acis.eoir.justice.gov> or call 800-898-7180.

Please keep this receipt with your records. Store receipt away from sunlight.



ICE



I-220R

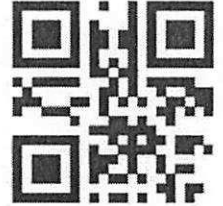
Next Reporting Date:

February 25, 2025 between 10:00 AM and 12:00 PM.

Participant reported on February 20, 2024. Identity verified through CART. System check show no new/derogatory information. No wants, no warrants.

For information on an Immigration court case, please go to: <https://acis.eoir.justice.gov> or call 800-898-7180.

Please keep this receipt with your records. Store receipt away from sunlight.

**ICE**

I-220R

EXHIBIT H

EXHIBIT I



To: U.S. Immigration and Customs Enforcement (ICE)

3/24/2025

Re: Medical Necessity for Stay of Removal – Vladimir Kim

To Whom It May Concern,

I, Rasa Teytel, FNP, am a licensed Family Nurse Practitioner practicing at MyCare Clinic, located at 3941 Holcomb Bridge Rd NW, Suite 100, Peachtree Corners, GA 30092. My National Provider Identification number is 1780238048. I am writing this letter to provide a professional medical opinion regarding my patient, Vladimir Kim, born on [REDACTED] in support of his request for a stay of removal due to serious health concerns.

Medical History and Current Health Status:

Vladimir Kim presented to my care in August of 2024 with

- **Severe Symptomatic Anemia:** which required urgent medical attention and further evaluation. Iron transfusion was considered at that time

He also presented with severe **Heart murmur**, shortness of breath and fatigue

Shortly after this visit, due to the severity of his symptom's patient was admitted to ER and was found to have:

Endocarditis, Valve Disorder: A serious inflammatory condition affecting the heart valves, requiring ongoing medical management and monitoring to prevent severe complications such as heart failure or systemic embolization.

- **Severe Aortic Insufficiency:** Vladimir suffered from severe aortic insufficiency, leading to an emergent **valve replacement surgery** due to the life-threatening nature of his condition.
- **Non sustained Ventricular Tachycardia (NSVT):** Following his valve replacement, Vladimir experienced episodes of non-sustained ventricular tachycardia, a serious arrhythmic condition that increases the risk of sudden cardiac events and requires close monitoring.



Address: 3941 Holcomb Bridge Road NW
Suite 100, Peachtree Corners, GA 30092

Office: (678) 221-3333
Fax: (833) 973-5621

Email: info@mycareclinicatlanta.com
Web: www.mycareclinicatlanta.com



Post surgery he had concerning complications with:

- **Progressive Vision Loss and Blurred Vision:** He had experienced a significant deterioration in his vision, including episodes of blurred vision, to the extent that he was unable to see clearly. This condition required urgent ophthalmologic evaluation and treatment to prevent permanent blindness.
- **Elevated Erythrocyte Sedimentation Rate (ESR):** An indicator of ongoing inflammation or chronic illness, requiring further investigation and continued management.

Currently patients still have:

- **Symptomatic Anemia:** unexplained origin, ongoing investigation and treatment is in progress, maybe mechanical destruction of red blood cells which can occur due to turbulent blood flow across the valve, leading to anemia and related symptoms.

Physical debility: continues to experience reduced physical capacity and required close monitoring

Current Incarceration Status:

Vladimir Kim is currently detained in jail due to immigration-related issues. His health conditions, particularly his cardiovascular issues, arrhythmia, and anemia require continuous medical attention. The constraints of detention limit his access to the necessary specialized care, exacerbating his health risks.

Impact on Daily Life:

Due to his medical conditions, Vladimir experiences significant health limitations that impact his daily activities and quality of life. His history of severe aortic insufficiency and subsequent valve replacement necessitates ongoing cardiology follow-ups and medication management to prevent further complications. His episodes of not sustained ventricular tachycardia place him at risk of sudden cardiac arrest. Additionally, his symptomatic anemia and vision deterioration further impact his functional abilities, limiting his independence and requiring continuous specialized care which he may not be able to receive at his country of origin.



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Medical Necessity for Stay of Removal:

At this time, Vladimir Kim **cannot safely travel or be removed** due to the following reasons:

1. **Health Risks Associated with Travel:** Given his severe cardiovascular history, arrhythmic condition, symptomatic anemia, and vision disturbances, any stress or exertion from travel could result in acute medical deterioration, including heart failure, severe vision impairment, or sudden cardiac arrest.
2. **Need for Continuous Care:** Vladimir requires regular monitoring and specialized medical management, including cardiology follow-ups, ophthalmologic evaluation. Disrupting this care could lead to severe health consequences and a significant decline in his overall well-being.
3. **Lack of Adequate Treatment in the Country of Removal:** Based on my medical knowledge, the specialized cardiology, respiratory, and ophthalmologic care that Vladimir requires may not be readily available or accessible in his country of removal. The discontinuation of his current medical treatment would pose a serious risk to his health and could result in life-threatening complications.

Medical Recommendation:

In my professional medical opinion, removal at this time would pose a **serious risk to the patient's health** due to his ongoing cardiac, respiratory, hematologic, and vision-related conditions. Vladimir requires continuous medical treatment, which is crucial for his well-being and not easily accessible in Uzbekistan.

Given the severity of his condition and the need for uninterrupted medical care, I strongly recommend that Vladimir Kim be allowed to remain in the U.S. for ongoing treatment and management.

Closing Statement:

For these reasons, I respectfully urge ICE to **grant a stay of removal** for Vladimir Kim to ensure his continued access to necessary medical care. Please find attached his relevant medical records, including his PillCam report and his most recent cardiology visit summary, for further review.



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Web: www.mycareclinicatlanta.com



Should you require any additional information, please do not hesitate to contact my office at 678-221-3333.

Signed by:

Sincerely,
Rasa Teytel, FNP-C

3/24/2025

04378406C2324AB...
Rasa Teytel, FNP

MyCare Clinic

3941 Holcomb Bridge Rd NW, Suite 100

Peachtree Corners, GA 30092

Phone: 678-221-3333

Fax: 833-973-6521

Attachments:

- PillCam Report
- Cardiologist Visit Summary
- Relevant Medical Records



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