UNITED STATES DISTRICT COURT

for the

Central District of California

Garo Vartanyan

Petitioner

v.

Kristi Noem, Sec. of Dept. of Homeland Security; Todd Lyons, Acting Director of Immigration and Customs Enforcement; Fereti Semaia Administrator Adelanto Det.

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. *(Supplied by Clerk of Court)*

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

Personal Information

1. (a) Your full name: Garo Vartanyan

   (b) Other names you have used:

2. Place of confinement:

   (a) Name of institution: Adelanto ICE Processing Center

   (b) Address: 10250 Rancho Rd, Adelanto, CA 92301

   (c) Your identification number: A# [redacted]

3. Are you currently being held on orders by:

   ☑ Federal authorities ☐ State authorities ☐ Other - explain:

   Immigration and Customs Enforcement

4. Are you currently:

   ☐ A pretrial detainee (waiting for trial on criminal charges)

   ☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

   If you are currently serving a sentence, provide:

   (a) Name and location of court that sentenced you:

   (b) Docket number of criminal case:

   (c) Date of sentencing:

   ☐ Being held on an immigration charge

   ☑ Other *(explain)*: The Petitioner was detained after his order of supervision (OSUP) was revoked

Decision or Action You Are Challenging

5. What are you challenging in this petition:

   ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

❒ Pretrial detention
☑ Immigration detention
❒ Detainer
❒ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
❒ Disciplinary proceedings
❒ Other *(explain)*:

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: ICE Enforcement and Removal Operations for the Los Angeles Field Office

(b) Docket number, case number, or opinion number: N/A

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*:

The Petitioner was detained at his routine check-in. He was not given any paperwork and was not informed why his OSUP was being revoked. He was not given a chance to explain why he should not be detained.

(d) Date of the decision or action: 11/26/2025

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

❒ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not appeal: No appeal of this decision

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

❒ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not file a second appeal: No appeal of this decision

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☑ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not file a third appeal: No appeal of this decision

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☑ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☑ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes ☑ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☐ Yes ☑ No

If "Yes," provide:

(a) Date you were taken into immigration custody:

(b) Date of the removal or reinstatement order:

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☑ No

If "Yes," provide:

(1) Date of filing:

(2) Case number:

(3) Result:

(4) Date of result:

(5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☑ No

If "Yes," provide:

(1) Name of court:

(2) Date of filing:

(3) Case number:

(4) Result:

(5) Date of result:

(6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes ☑ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Violation of the Due Process Clause of the U.S. Const. amend. V

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

The Petitioner was detained by immigration officials at his routine ICE check-in. The Petitioner was on an order of supervision and he did not violate a term of supervision. He was not informed whether he would be removed to a third country. He was not informed that ICE had secured a travel document for him. He was given no paperwork discussing the reasons for the revocation. He was not interviewed about why he should not be detained.

(b) Did you present Ground One in all appeals that were available to you?

☑ Yes ☐ No

GROUND TWO: Violation of the Administrative Procedures Act under 5 U.S.C. § 702 for not complying with 8 C.F.R. § 241.4(l) and 241.13(i) when revoking the OSUP

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

The Petitioner was detained by immigration officials at his routine ICE check-in. The Petitioner was on an order of supervision and he did not violate a term of supervision. He was not informed whether he would be removed to a third country. He was not informed that ICE had secured a travel document for him. He was given no paperwork discussing the reasons for the revocation. He was not interviewed about why he should not be detained.

(b) Did you present Ground Two in all appeals that were available to you?

☑ Yes ☐ No

GROUND THREE: Violation of Due process under the U.S. Const. amend. V, 8 U.S.C. § 1231, and 8 C.F.R. § 1208.17(b)(2)

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

The Petitioner fears that he will be removed to a third country without notice or an opportunity to challenge the removal. DHS has taken the position that it will not provide notice or an opportunity to challenge the removal to a third country in certain instances.

(b) Did you present Ground Three in all appeals that were available to you?

☑ Yes ☐ No

GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

❒Yes ❒No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: The Petitioner prays this court will enjoin ICE from detaining him in violation to the constitution and APA. He requests the court order his immediate release from ICE custody and that he not be redetained unless ICE complies with the constitution and its regulations. Additionally, he seeks an order enjoining ICE from removing him to a third country without providing him an opportunity to challenge the removal hearing through a Reasonable Fear Interview.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 11/26/2025

Signature of Petitioner

/s/ Andres Ortiz

Signature of Attorney or other authorized person, if any