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January 29, 2026

BY ECF
The Honorable Joseph F. Leeson, Jr., U.S.D.J.
U.S. District Court for the Eastern District of Pennsylvania
4000 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: ***Mirdjalilov v. Federal Detention Center Philadelphia et al.***
Update on Petitioner's Bond Hearing

Dear Judge Leeson:

We write this Honorable Court to provide details surrounding Petitioner's bond hearing held on January 28, 2026. We also write to respectfully request this Court order another bond hearing at which Petitioner can be represented by counsel, or, in the alternative, order his immediate release.

Representation of Petitioner

Petitioner, Abbos Mirdjalilov, is represented by two legal offices in his immigration-related proceedings. Undersigned counsel, Pretty Martinez and the Law Office of Matthew Archambeault, were retained to represent Abbos in his Petition for Writ of Habeas Corpus on December 16, 2025.

Arkadiy Rafailov, Esq. of the Rafailov Law Firm, was retained by Abbos in approximately January 2024 for representation in removal proceedings, including his application for asylum and for withholding of removal. On or about January 14, 2026, Mr. Rafailov notified

undersigned counsel that Abbos and his wife wanted him to represent Abbos at any bond hearing that might be ordered in the future by this Court. On January 28, 2026, Abbos retained Mr. Rafailov to represent him during his bond hearing.

On or about January 28, 2026, Abbos's wife, paid Mr. Rafailov an additional $3,000 to represent him at his bond hearing. Mr. Rafailov notified our office that he never entered his appearance with the Executive Office for Immigration Review, despite having been retained to represent Petitioner in 2024. Mr. Rafailov did not appear as Abbos's counsel during the Master Calendar Hearing and Bond Hearing that was held before the immigration court on January 28, 2026. Consequently, the immigration judge proceeded with Abbos's bond hearing despite his attorney's failure to appear and ultimately denied Abbos bond.

Bond Hearing Held Despite Absence of Counsel

On January 23, 2026, this Honorable Court ordered Abbos's Petition for Writ of Habeas Corpus granted, and ordered Respondents to provide petitioner with a bond hearing within seven days of the order (by January 30, 2026). Admittedly, undersigned counsel, did not see the email notification of this order until Tuesday, January 27, 2026. Upon reading the order, undersigned counsel immediately notified Abbos's wife and Mr. Rafailov on the evening of Tuesday, January 27, 2026. However, undersigned counsel did not receive any notification by Respondents counsel as to the date of the bond hearing. As undersigned counsel was not retained for representation in proceedings before the Executive Office for Immigration Review, she does not have access to the EOIR Courts & Appeals System (ECAS) for Abbos. Consequently, undersigned counsel did not and could not receive notification of the date on which Abbos's bond hearing was to be held.

Undersigned counsel and her office contacted Mr. Rafailov on January 27, 28, and 29 to request updates on the bond hearing. Today, Mr. Rafailov informed our office that he did not attend Petitioner's bond hearing or the Master Calendar Hearing, which were both scheduled for January 28, 2026. Consequently, Abbos had no legal representation during his bond hearing and was denied bond.

We respectfully request this Honorable Court order Respondents provide Petitioner another bond hearing and notify undersigned counsel of the date of this bond hearing, so that Petitioner may be provided a bona fide bond determination with legal representation. In the alternative, as Petitioner should not remain unlawfully detained, especially due to the errors of Mr. Rafailov, we respectfully request this Court order Abbos's immediate release.

We thank the Court for its attention to this matter.

Respectfully submitted
/s/Pretty S. Martinez
Pretty S. Martinez
Attorney for Petitioner

Cc: Counsel of Record (by ECF)