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UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

Kazem Majd

Petitioner,
v.

Mark Bowen, Warden of the Adelanto Detention
Facility

in his official capacity,
Respondent.

NOTICE OF MOTION

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, pursuant to Local Court Rule 65(b),
Petitioner hereby requests that the Court issue a temporary restraining order
directing Respondents to release Petitioner from the Adelanto Detention Facility
and to enjoin Respondents from removing or attempting to remove Petitioner to a
third country in violation of the Constitution and statutory procedures pending the

1 resolution of the Petition for Writ of Habeas Corpus. This motion is supported by
2 the following Memorandum of Points and Authorities, and by his Petition for Writ
3 of Habeas Corpus and supporting exhibits.

4 Undersigned counsel hereby declares and certifies that on December 16,
5 2025 he emailed Daniel Beck, Assistant United States Attorney, with a copy of the
6 (1) Petition for Writ of Habeas Corpus; (2) Motion for Temporary Restraining
7 Order, and (3) supporting exhibits and proposed order.

8 Undersigned counsel verify that the facts set forth therein are true and correct
9 to the best of my knowledge. I make this verification on behalf of Petitioner who is
10 unable to make this verification himself while he is detained.

11
12
13 Dated: **December 16, 2025**

Respectfully submitted,

14 /s/ Ashkan Yekrangi

15 Ashkan Yekrangi, Esq.
16 *Counsel for Petitioner*
17
18
19
20
21

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

I represent Petitioner and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 16 day of December 2025.

s/Ashkan Yekrangi

Ashkan Yekrangi

Counsel for Petitioner

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9 UNITED STATES DISTRICT COURT FOR THE
10 CENTRAL DISTRICT OF CALIFORNIA
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12 Kazem Majd
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14 Petitioner,
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16 v.

17 Mark Bowen, Warden of the Adelanto Detention
18 Facility

19 in his official capacity,
20 Respondent.
21

MEMORANDUM OF LAW
IN SUPPORT OF A
TEMPORARY
RESTRAINING ORDER

TABLE OF CONTENTS

	Page
I. INTRODUCTION.....	1
II. STATEMENT OF FACTS	1
B. Repatriation is Not Significantly Likely	4
C. Punitive Banishment to Third Countries.....	5
III. LEGAL STANDARD	11
IV. ARGUMENT	11
A. Petitioner Is Likely to Succeed on the Merits of His Claims.	12
1. Petitioner Is Likely to Succeed on the Merits of His Claim That His Re-Detention Is Unconstitutional and Unlawful.	12
2. Petitioner Is Likely to Succeed on the Merits of His Claim That He Is Entitled to Legally Required Procedures Prior to Any Nonpunitive Third Country Removal.	16
3. Petitioner Is Likely to Succeed on the Merits of His Claim That the Constitution Prohibits Punitive Third Country Removals.	19
B. Petitioner Will Suffer Irreparable Harm Absent Injunctive Relief.	22
C. The Balance of Hardships and Public Interest Weigh Heavily in Petitioner's Favor.	22
D. The All Writs Act Confers Broad Power to Preserve the Integrity of Court Proceedings.	23
V. CONCLUSION	23

TABLE OF AUTHORITIES

	Pages
Cases	
<i>United States ex rel. Accardi v. Shaughnessy</i> , <u>347 U.S. 260</u> (1954)	15
<i>Adams v. United States</i> , <u>317 U.S. 269</u> (1942)	23
<i>Aden v. Nielsen</i> , <u>409 F. Supp. 3d 998</u> (W.D. Wash. 2019)	17, 18
<i>Alcaraz v. INS</i> , <u>384 F.3d 1150</u> (9th Cir. 2004)	15
<i>All. for the Wild Rockies v. Cottrell</i> , <u>632 F.3d 1127</u> (9th Cir. 2011)	11
<i>Am. Civ. Liberties Union of Nevada v. Masto</i> , <u>670 F.3d 1046</u> (9th Cir. 2012)	20
<i>Andriasian v. INS</i> , <u>180 F.3d 1033</u> (9th Cir. 1999)	17, 18
<i>California v. M&P Inv.</i> , <u>46 F. App'x 876</u> (9th Cir. 2002) (unpublished)	23
<i>D.V.D. v. U.S. Dep't of Homeland Sec.</i> , No. 25-cv-10676-BEM, <u>2025 WL 1453640</u> (D. Mass. May 21, 2025)	17
<i>D.V.D. v. U.S. Department of Homeland Security</i> , No. CV 25-10676-BEM, <u>2025 WL 1142968</u> (D. Mass. Apr. 18, 2025)	4, 5
<i>Elrod v. Burns</i> , <u>427 U.S. 347</u> (1976)	22
<i>F.T.C. v. Dean Foods Co.</i> , <u>384 U.S. 597</u> (1966)	23

1	<i>Fong Yue Ting v. U.S.</i> ,	
2	<u>149 U.S. 698</u> (1893) (Brewer, J. dissenting).....	21
3	<i>Frailhat v. U.S. Immigr. & Customs Enf't</i> ,	
4	<u>16 F.4th 613</u> (9th Cir. 2021)	11
5	<i>Hernandez v. Sessions</i> ,	
6	<u>872 F.3d 976</u> (9th Cir. 2017)	22, 23
7	<i>Himri v. Ashcroft</i> ,	
8	<u>378 F.3d 932, 939</u> n. 4 (9th Cir. 2004)	16
9	<i>Hoac v. Becerra</i> ,	
10	No. 25-cv-01740-DC-JDP, <u>2025 WL 1993771</u> (E.D. Cal. July 16, 2025).14,16,19	
11	<i>Hudson v. United States</i> ,	
12	<u>522 U.S. 93</u> (1997)	20
13	<i>J.R. v. Bostock</i> ,	
14	25-cv-01161-JNW, <u>2025 WL 1810210</u> (W.D. Wash. Jun. 30, 2025)	18
15	<i>Jama v. Immigr. & Customs Enf't</i> ,	
16	<u>543 U.S. 335</u> (2005)	16
17	<i>Kansas v. Crane</i> ,	
18	<u>534 U.S. 407</u> (2002)	21
19	<i>Kansas v. Hendricks</i> ,	
20	<u>521 U.S. 346</u> (1997) (Kennedy, J., concurring)	21
21	<i>Kennedy v. Mendoza-Martinez</i> ,	
	<u>372 U.S. 144</u> (1963)	20, 21
	<i>Kong v. United States</i> ,	
	<u>62 F.4th 608</u> (1st Cir. 2023)	14
	<i>Liu v. Carter</i> ,	
	No. 25-cv-03036-JWL, <u>2025 WL 1696526</u> (D. Kan. June 17, 2025)	14

1	<i>Lopez v. Heckler,</i>	
2	<u>713 F.2d 1432</u> (9th Cir. 1983)	23
3	<i>Melendres v. Arpaio,</i>	
4	<u>695 F.3d 990</u> (9th Cir. 2012)	22
5	<i>Moreno Galvez v. Cuccinelli,</i>	
6	<u>387 F. Supp. 3d 1208</u> (W.D. Wash. 2019)	23
7	<i>Morton v. Ruiz,</i>	
8	<u>415 U.S. 199</u> (1974)	15
9	<i>Nguyen v. Hyde,</i>	
10	No. 25-cv-11470-MJJ, <u>2025 WL 1725791</u> (D. Mass. June 20, 2025).....	14, 16
11	<i>Nken v. Holder,</i>	
12	<u>556 U.S. 418</u> (2009)	22, 23
13	<i>Ortega v. Kaiser,</i>	
14	25-cv-05259-JST, <u>2025 WL 1771438</u> (N.D. Cal. June 26, 2025)	19
15	<i>Phan v. Beccerra,</i>	
16	No. 2:25-CV-01757, <u>2025 WL 1993735</u> (E.D. Cal. July 16, 2025)	14, 16, 18
17	<i>Sadychov v. Holder,</i>	
18	<u>565 F. App'x 648</u> (9th Cir. 2014) (unpublished)	16
19	<i>Smith v. Doe,</i>	
20	<u>538 U.S. 84</u> (2003)	20
21	<i>Stuhlbarg Int'l Sales Co. v. John D. Brush & Co.,</i>	
	<u>240 F.3d 832</u> (9th Cir. 2001)	11
	<i>Tadros v. Noem,</i>	
	No. 25-cv-4108-EP, <u>2025 WL 1678501</u> (D.N.J. June 13, 2025)	15
	<i>Trinh v. Homan,</i>	
	<u>466 F. Supp. 3d 1077</u> (C.D. Cal. 2020)	3

1	<i>U.S. Dep't of Homeland Sec. v. D.V.D.,</i>	
2	<u>145 S. Ct. 2153</u> (2025)	4, 17
3	<i>Vaskanyan v. Janecka,</i>	
4	25-cv-01475-MRA-AS, <u>2025 WL 2014208</u> (C.D. Cal. Jun. 25, 2025)	19
5	<i>Warsoldier v. Woodford,</i>	
6	<u>418 F.3d 989</u> (9th Cir. 2005)	22
7	<i>Winter v. Nat. Res. Def. Council, Inc.,</i>	
8	<u>555 U.S. 7</u> (2008)	11
9	<i>Wong Wing v. United States,</i>	
10	<u>163 U.S. 228</u> (1896)	19
11	<i>Zadvydas v. Davis,</i>	
12	<u>533 U.S. 678</u> (2001)	12, 13, 15, 19
13	<i>Zepeda v. I.N.S.,</i>	
14	<u>753 F.2d 719</u> (9th Cir. 1983)	23

Statutes

Due Process Clause, <u>8 U.S.C. §1231(a)</u>	12
<u>8 U.S.C. § 1227(a)(2)(A)(iii)</u>	1
<u>8 U.S.C. § 1231(a)(1)(A)</u>	12
<u>8 U.S.C. § 1231(a)(2)</u>	12
<u>8 U.S.C. §§ 1231(a)(3)</u>	13
<u>8 U.S.C. § 1231(a)(6)</u>	12, 13
<u>8 U.S.C. § 1231(b)</u>	16
<u>8 U.S.C. § 1231(b)(2)(A)-(E)</u>	16
<u>8 U.S.C. § 1231(b)(2)(E)(vii)</u>	16
<u>8 U.S.C. § 1231(b)(3)(A)</u>	17
<u>8 U.S.C. § 1231(b)(E)(vii)</u>	16
<u>28 U.S.C. § 1651(a)</u>	23
All Writs Act, <u>28 U.S.C. § 1651</u>	23
Chinese Exclusion Act, <u>8 U.S.C. § 7</u>	19
Freedom of Information Act, <u>5 U.S.C. §552</u>	3
Immigration and Nationality Act, <u>8 U.S.C. § 1101 et seq.</u>	5, 12

Rules

<u>Fed. R. Civ. P. 65(b)</u>	11
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Regulations

<u>8 C.F.R. §§ 208.16, 1208.16</u>	17
<u>8 C.F.R. §§ 208.17-1208.18</u>	17
<u>8 C.F.R. § 241.13(i)</u>	13, 15
<u>8 C.F.R. § 241.13(i)(1)</u>	13

1	<u>8 C.F.R. § 241.13(i)(2)</u>	13, 15
2	<u>8 C.F.R. § 241.13(i)(3)</u>	13, 15
3	<u>8 C.F.R. § 241.13(f)</u>	13, 16
4	<u>8 C.F.R. § 1240.10(f)</u>	16
5	<u>28 C.F.R. § 200.1</u>	17
6	Constitutional Provisions	
7	Fifth Amendment	17
8	U.S. Const.	23
9	<u>U.S. Const. amend. V</u>	17, 19
10	<u>U.S. Const. amend. VI</u>	19
11	<u>U.S. Const. amend. VIII</u>	19
12	Other Authorities	
13	11A Charles Alan Wright et al., <i>Federal Practice and Procedure</i> , § 2948.1 (2d ed. 2004)	22
14	Peter L. Markowitz, <i>Deportation is Different</i> , 13 U. Pa. J. Const. L. 1299, 1308-09 (2011)	21
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I. INTRODUCTION

Petitioner faces immediate irreparable harm absent this Court's intervention. Petitioner is 77 years old and originally from Iran. Petitioner has lived in the United States for nearly sixty years. He suffers from serious and life-threatening medical issues. On December 11, 2025 he was detained at his ICE check-in and is now detained at the Adelanto Detention Facility.

In 2004, Petitioner was ordered removed then placed on an Order of Supervision (OSUP). Petitioner never violated his OSUP and has no criminal arrests or convictions since his removal order. Despite this, Petitioner was detained on December 11, 2025 at his ICE check-in.

II. STATEMENT OF FACTS

Petitioner Kazem Majd is a 77-year-old male born on [REDACTED] in Iran. Petitioner has lived in the United States since approximately the 1960's and became a lawful permanent resident of the United States around 1973.

Petitioner has not returned to Iran since 1976, and fears persecution because [REDACTED]

[REDACTED]

Counsel is informed and believes that as the result of a fraud-related conviction, he was placed in removal proceedings.

1 Petitioner never filed for asylum or any relief while in removal proceedings.
2 During that time, he could not afford an attorney. In July 2004, Petitioner was
3 ordered removed to Iran. In August 2004, he filed a motion to reopen his removal
4 matter, but that motion was denied. No appeals were filed and no motion to reopen
5 is pending challenging the removal order at this time. Because he thought he was
6 allowed to remain in the United States, he sought no other legal action challenging
7 his removal order.

8
9 As a result of the lack of diplomatic relations between the United States and
10 Iran, Petitioner's removal could not be executed. Petitioner was placed on an Order
11 of Supervision in 2004 and has dutifully reported each year. Petitioner has never
12 missed a check-in. Nor has Petitioner ever violated any terms or conditions of his
13 Order of Supervision.

14 The political and diplomatic situation vis-à-vis Iran and the United States
15 remains unchanged. The United States and Iran have had no diplomatic relations
16 since 1980. There is no Iranian embassy in the United States and no U.S. embassy
17 in Iran. Both countries view one another as hostile.

18
19 Petitioner holds no valid Iranian passport and has never applied for, or was ever
20 issued, an Iranian passport under the Islamic Republic. He holds no travel
21 documents. Petitioner has misplaced his original Iranian birth certificate, which
 was issued by the ancien régime when Iran was ruled by the Shah.

1 Even if Petitioner were to locate his original Iranian birth certificate, the Islamic
2 Republic of Iran does not recognize old birth certificates issued under the
3 monarchy, and a special process is required to obtain a new *shennasnameh*
4 (identification document / birth certificate) from Iran, which requires giving
5 someone power of attorney in Iran to obtain such a document from Iran's National
6 Organization of Civil Registration.

7
8 The United States Department of State visa reciprocity schedule for Iran notes
9 "Renewals of old birth certificates or replacements of lost birth certificates are
10 available by applying *in person* at the registry office." See
11 [https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-](https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/IranIslamicRepublicof.html)
12 [Documents-by-Country/IranIslamicRepublicof.html](https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/IranIslamicRepublicof.html).

13 Obtaining an Iranian passport is predicated upon a valid birth certificate. Given
14 this, it is unlikely that Petitioner or Respondent will be able to obtain any travel
15 documents or passport for Petitioner. The Iranian Interest Section also notes that
16 an original Iranian birth certificate is needed for passport issuance. See Exhibit A.
17 It also requires an original National ID card, proof of military service or exemption,
18 and recent photographs. *Id.* Petitioner has none of these.

19
20 Petitioner appeared for a pre-scheduled ICE check-in on November 13, 2025.
21 During that check-in, Petitioner provided ICE with medical letters. ICE asked
Petitioner for a list of medications he was taking and noted them. ICE then

1 instructed Petitioner to pick-up a monitoring device in lieu of detention, which he
2 did. The ankle monitoring device was kept on Petitioner for about two weeks, but
3 then it was removed with permission from ICE due to Petitioner's regular MRI and
4 MRCP scans, which are done every month to monitor his liver.

5
6 ICE concluded that they would not detain Petitioner due to medical reasons
7 because they could not treat him while in detention. Petitioner was then instructed
8 to return on December 11, 2025 where he would be given a new reporting schedule.

9 On December 11, 2025 Petitioner appeared at the Santa Ana ICE location as
10 instructed. Petitioner did not bring any medications because he was informed he
11 would not be detained. However, Petitioner was detained during that check-in.

12
13 Petitioner was given no reason for his detention, nor an opportunity to
14 respond, or formal or informal interview. In fact, Petitioner's detention was in
15 contradiction to what he was told in November, in that he would not be detained as
16 a result of his medical condition.

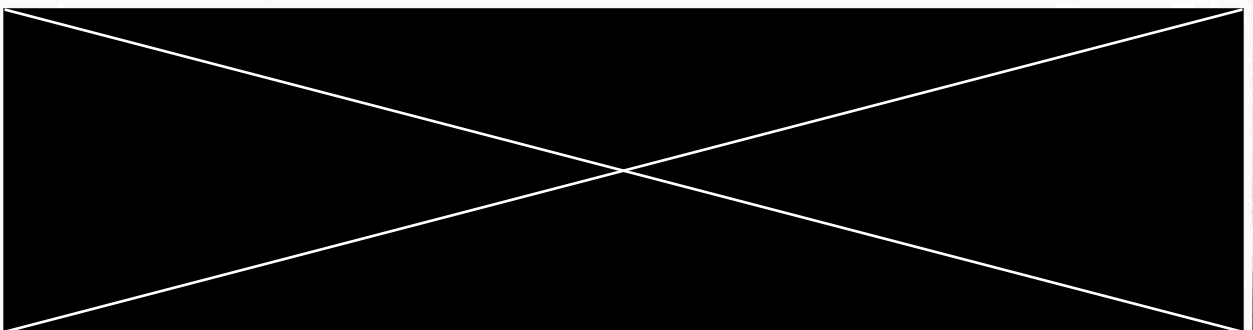
17 **A. Serious Medical Conditions and Advanced Age**

18 Petitioner suffers from complex, chronic, and progressive medical conditions
19 that require specialized medical oversight not available in a detention setting.
20 Specifically, Petitioner was diagnosed with Primary Sclerosing Cholangitis (PSC)
21 in 2021, a rare and life-threatening liver disease characterized by inflammation and

1 scarring of the bile ducts. According to his liver specialist, Dr. Paul J. Pockros, this
2 condition can advance unpredictably, leading to cirrhosis, liver failure, and death
3 without consistent, specialized surveillance. Dr. Pockros explicitly states that PSC
4 “is not a condition that can be managed casually or without specialized medical
5 oversight,” and it is medically necessary for Petitioner to remain under the care of a
6 liver specialist. *See* Exhibit B.

7
8 In addition to his liver condition, Petitioner suffers from severe, advanced
9 Diabetes Mellitus requiring intensive daily management, including insulin therapy
10 and weekly GLP-1 injections. *Id.* He also requires the nightly use of a C-PAP
11 machine for Chronic Obstructive Sleep Apnea to prevent dangerous sequelae such
12 as cardiovascular strain. Furthermore, due to a history of emergent gallbladder
13 removal, he requires a special diet to avoid gastrointestinal distress, which is
14 difficult to maintain in a detention facility. His primary care physician, Dr. David
15 Miller, has warned that these conditions are “potentially life-threatening if not
16 carefully managed.” *See* Exhibit C.

17 Petitioner also regularly takes the following medications:



1 Petitioner requires a C-PAP Machine each evening, otherwise he can choke and
2 suffocate. *See* Exhibit D.

3
4 Petitioner has requested but has yet to receive the necessary medical care or
5 medicine as a result of his serious and life-threatening medical conditions.

6 Petitioner's condition is also specialized, in that the doctors within the detention
7 facility are unable to treat them. Since he was detained, Petitioner has not been
8 able to see a doctor, has only been provided generic diabetes medication, with no
9 treatment or medication related to his PSC. Petitioner's medical care prior to
10 detention involved almost weekly doctor's visits, monthly laboratory tests and
11 other medical diagnosing scans such as MRIs.

12 Continued detention at the Adelanto Detention Facility poses a grave risk to his
13 health and life.

14 **B. Petitioner is Not a Flight Risk or a Danger to the Community**

15
16 Petitioner has a documented history of exemplary compliance with his Order
17 of Supervision spanning over two decades. Records indicate he has consistently
18 reported to immigration officials since at least 2004, with check-ins occurring on a
19 regular basis through 2025. *See* Exhibit E.

20 His November 6, 2024 check-in explicitly notes that system checks showed "
21 "no new/derogatory information," "no wants," and "no warrants." *Id.* Petitioner

1 has lived at the same address in California for many years. Given his advanced age
2 of 77, his severe medical fragility, and his twenty-year history of compliant
3 reporting, Petitioner presents absolutely no risk of flight or danger to the
4 community.

5
6 **C. Procedural Violations of 8 C.F.R. §§ 241.4 and 241.13**

7 Despite his compliance, Petitioner was taken into custody on December 11,
8 2025, during a routine check-in. ICE failed to provide Petitioner with a specific
9 reason for the revocation of his release or an opportunity to be heard regarding his
10 detention. The agency did not conduct a formal or informal interview to assess his
11 suitability for release in violation of the procedures outlined in 8 C.F.R. §§ 241.4
12 and 241.13. Nor was Petitioner given an opportunity to respond to the decision to
13 detain him. His detention occurred without advance notice and came as a surprise
14 to himself and his family, who were previously told by ICE he would not be
15 detained due to his medical condition.

16 Furthermore, given that there is no significant likelihood of his removal in
17 the reasonably foreseeable future due the lack of a passport, travel documents, or
18 birth certificate and the difficulty in obtaining these, his detention violates the due
19 process protections codified in 8 C.F.R. § 241.13.

D. Irreparable Harm to U.S. Citizen Partner and Daughter

Petitioner's detention does not stand in isolation and causes irreparable harm to his U.S. citizen partner, Carolyn Majd. Mrs. Majd is 74 years old, disabled, and relies solely on Petitioner for her daily care. She recently underwent spinal fusion surgery in July 2024, utilizes a walker, and has a history of falls. Following a serious auto accident in 2023, she no longer drives and depends entirely on Petitioner for transportation to medical appointments, the pharmacy, and the grocery store. *See Exhibit F.*

Mrs. Majd also suffers from Ulcerative Colitis, which requires stress management to prevent intestinal blockages; the stress of her partner's detention exacerbates her condition, evidenced by her multiple hospitalizations in early 2024. Petitioner is her only support system, and his continued detention leaves a vulnerable U.S. citizen without essential care. *Id.*

Petitioner's US citizen daughter also suffers as a result of her father's detention. She notes that her 77-year-old father serves as the primary source of physical and financial support for his partner, a handicapped United States citizen who relies on him for daily assistance. *See Exhibit G.* Ms. Majd declares that his detention has stripped this vulnerable family member of her essential caregiver, forcing Ms. Majd to assume these heavy responsibilities herself. *Id.* She notes that

1 this sudden shift in caretaking duties has created significant hardship on her and
2 effectively destabilized their family unit. *Id*

3 **A. DHS Memo on Third Country Removals**

4 On March 30, 2025 the Department of Homeland Security issued a memo
5 indicating ICE may deport a person to a third country not designated on the
6 removal order without any procedures for notice or an opportunity to be heard if the
7 State Department confirms that it has received diplomatic assurances that
8 individuals will not be persecuted or tortured. *See* Exhibit H – DHS Memo.

9 If no diplomatic assurances are received, the memo instructs officers to serve
10 on the individual a Notice of Removal that includes the intended country of
11 removal. *Id*. It tells officers not to ask whether the individual is afraid of removal.

12 If the noncitizen does affirmatively state a fear if removed to the country of
13 removal, then ICE will refer the case to U.S. Citizenship and Immigration Services
14 (“USCIS”) for a screening for eligibility for withholding of removal and protection
15 under the Convention Against Torture. *Id*. If USCIS determines that the noncitizen
16 does not meet the standard, the individual will be removed. *Id*. If USCIS
17 determines that they have met the standard, then the policy directs ICE to either
18 move to reopen removal proceedings “for the sole purpose of determining
19 eligibility for [withholding of removal protection] and [Convention Against Torture
20 (“CAT”)] or designate another country for removal. *Id*.

1 **C. Punitive Banishment to Third Countries**

2 Since January 2025, Respondent has developed and implemented a policy
3 and practice of removing individuals to third countries, without first following the
4 Immigration and Nationality Act (“INA”) procedures for designation and removal
5 to a third country and without providing fair notice and an opportunity to contest the
6 removal in immigration court. These removals are unconstitutionally punitive,
7 crossing the line between the civil sanction of deportation to punitive banishment.

8 The United States government has reportedly negotiated with at least 58
9 countries to accept deportees from other nations. On June 25, 2025, the New York
10 Times reported that seven countries—Costa Rica, El Salvador, Guatemala, Kosovo,
11 Mexico, Panama, and Rwanda—had agreed to accept deportees who are not their
12 own citizens. Since then, ICE has carried out highly-publicized third country
13 deportations to South Sudan and Eswatini. *See*
14 [https://www.nytimes.com/2025/06/25/us/politics/trump-immigrants-](https://www.nytimes.com/2025/06/25/us/politics/trump-immigrants-deportations.html)
15 [deportations.html](https://www.nytimes.com/2025/06/25/us/politics/trump-immigrants-deportations.html).

16 Punishment and deterrence appear to be the point of the Administration’s
17 third country removal scheme. In an official video, President Donald Trump stated
18 that if illegal aliens choose to remain in America, they’re remaining illegally and
19 they will face severe consequences. Illegal aliens who stay in America face
20 punishments, including significant jail time, enormous financial penalties,
21 confiscation of all property, garnishment of all wages, imprisonment and

1 incarceration, and *sudden deportation in a place and manner solely of our*
2 *discretion.*” See [https://www.newsweek.com/trump-self-deportation-immigrants-](https://www.newsweek.com/trump-self-deportation-immigrants-2070509)
3 2070509.

4 In February, Secretary of State Marco Rubio announced that El Salvador had
5 agreed to accept for deportation any illegal alien in the US who is a criminal from
6 any nationality with the explicit understanding that that deportees will be
7 imprisoned. See [https://www.npr.org/2025/02/04/g-s1-46352/rubio-el-salvador-](https://www.npr.org/2025/02/04/g-s1-46352/rubio-el-salvador-deportees-americans)
8 deportees-americans.

9 **III. Legal Standard**

10 To obtain a TRO, a plaintiff “must establish that he is likely to succeed on
11 the merits, that he is likely to suffer irreparable harm in the absence of preliminary
12 relief, that the balance of equities tips in his favor, and that an injunction is in the
13 public interest.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008);
14 *Stuhlbarg Int’l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839-40 & n.7 (9th
15 Cir. 2001) (noting that a TRO and preliminary injunction involve “substantially
16 identical” analysis).

17 In this Circuit, courts employ “an alternative ‘serious question’
18 standard, also known as the ‘sliding scale’ variant of the Winter standard.” *Fraihat*
19 *v. U.S. Immigr. & Customs Enf’t*, 16 F.4th 613, 635 (9th Cir. 2021) (citation
20 omitted). Under this approach, the four *Winter* elements are “balanced, so that a
21 stronger showing of one element may offset a weaker showing of another.” *All. for*

1 *the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011). A TRO may be
2 granted where there are “‘serious questions going to the merits’ and a hardship
3 balance. . . tips sharply toward the plaintiff,” and so long as the other *Winter* factors
4 are met. *Id.* at 1132

6 **IV. Argument**

7 This Court should issue a temporary restraining order because “‘immediate
8 and irreparable injury . . . or damage” is occurring and will continue in the absence
9 of an order. Fed. R. Civ. P. 65(b).

10 Respondents have re-detained Petitioner in violation of his due process and
11 statutory rights and threaten to remove him to a third country without adhering to
12 constitutional and statutory procedural protections and in violation of bedrock law
13 prohibiting the government from imposing punitive measures on noncitizens
14 ordered removed. This Court should order Petitioner’s release and enjoin removal
15 to a third country where he may be imprisoned or harmed and absent legally
16 required protections.

17 **A. Petitioner is Likely to Succeed on the Merits**

18 **1. Petitioner Is Likely to Succeed on the Merits of His Claim That His** 19 **Re-Detention Is Unconstitutional and Unlawful**

20 Petitioner is likely to succeed on the merits of his claim that his re -detention
21

1 violates the Due Process Clause, 8 U.S.C. § 1231(a), and governing regulations.
2 The INA provides that after a removal order becomes final, the government “shall
3 remove the alien from the [U.S.] within a period of 90 days.” 8 U.S.C. §
4 1231(a)(1)(A). This 90-day period is often referred to as the initial removal period
5 and during it, the government “shall detain the alien.” *Id.* § 1231(a)(2). In some
6 circumstances, federal immigration authorities can continue to detain an alien
7 beyond the initial removal period. Specifically, section 1231(a)(6) allows the
8 government to detain certain enumerated classes of immigrants—including those
9 ordered removed due to criminal convictions—for more than 90 days. *Id.* §
10 1231(a)(6).

11
12 The Supreme Court, in *Zadvydas v. Davis*, 533 U.S. 678 (2001), rejected the
13 government’s position that section 1231(a)(6) permitted indefinite detention
14 following the initial removal period. It held that “[a] statute permitting indefinite
15 detention of an alien would raise a serious constitutional problem” because it would
16 become punitive. *Id.* at 690. “[G]overnment detention violates [the Fifth
17 Amendment’s Due Process Clause] unless the detention is ordered in a criminal
18 proceeding with adequate procedural protections.” *Id.* The Court held that section
19 1231(a)(6) “implicitly limits an alien’s detention to a period reasonably necessary
20 to bring about that alien’s removal.” *Id.* at 679. Thus, “once removal is no longer
21 reasonably foreseeable, continued detention is no longer authorized by [section
1231(a)(6)].” *Id.* at 699.

1 “[F]or the sake of uniform administration in the federal courts,” the Court
2 found that postremoval detention was “presumptively reasonable” for the first six
3 months. *Id.* at 700–01. After that “presumptively reasonable” six-month period
4 ends, once the noncitizen “provides good reason to believe that there is no
5 significant likelihood of removal in the reasonably foreseeable future, the
6 Government must respond with evidence sufficient to rebut that showing. And for
7 detention to remain reasonable, as the period of prior postremoval confinement
8 grows, what counts as the ‘reasonably foreseeable future’ conversely would have to
9 shrink.” *Id.* at 701. It is important to note that the presumption articulated under
10 *Zadvydas* is rebuttable. *Trinh v. Homan*, 333 F. Supp. 3d 984, 994 (CD. Cal. 2018)
11 (“The Supreme Court in *Zadvydas* outlined a ‘guide’ for approaching these
12 detention challenges . . . not a prohibition on claims challenging detention less than
13 six months.”)

14 Upon release from custody, a noncitizen subject to a final order of removal
15 must comply with certain conditions of release. 8 U.S.C. §§ 1231(a)(3), (6). The
16 revocation of that release is governed by 8 C.F.R. § 241.13(i), which authorizes
17 ICE to revoke a noncitizen’s release for purposes of removal. ICE may revoke a
18 noncitizen’s release and return them to ICE custody due to failure to comply with
19 any of the conditions of release, 8 C.F.R. § 241.13(i)(1), or if, “on account of
20 changed circumstances, the Service determines that there is a *significant likelihood*
21

1 that the [noncitizen] may be removed in the reasonably foreseeable future.” *Id.* §
2 241.13(i)(2) (emphasis added).

3
4 Upon such a determination by ICE to re-detain, “the alien will be notified of
5 the reasons for revocation of his or her release. [ICE] will conduct an initial
6 informal interview promptly after his or her return to [ICE] custody to afford the
7 alien an opportunity to respond to the reasons for revocation stated in the
8 notification. The [noncitizen] may submit any evidence or information that he or
9 she believes shows there is no significant likelihood he or she [will] be removed in
10 the reasonably foreseeable future, or that he or she has not violated the order of
11 supervision. The revocation custody review will include an evaluation of any
12 contested facts relevant to the revocation and a determination whether the facts as
13 determined warrant revocation and further denial of release.” *Id.* § 241.13(i)(3).

14 ICE’s decision to re-detain is governed by the factors laid out in 8 C.F.R. §
15 241.13(f), including “the history of the [noncitizen’s] efforts to comply with the
16 order of removal, the history of [ICE’s] efforts to remove [noncitizens] to the
17 country in question or to third countries, including the ongoing nature of [ICE’s]
18 efforts to remove [the noncitizen] and the [noncitizen’s] assistance with those
19 efforts, the reasonably foreseeable results of those efforts, and the views of the
20
21

1 Department of State regarding the prospects for removal of [noncitizens] to the
2 country or countries in question.” *See also Phan v. Beccerra*, No. 2:25-CV-01757,
3 2025 WL 1993735, at *3 (E.D. Cal. July 16, 2025).

4
5 Here, there is no lawful justification for Petitioner’s re-detention and
6 continued detention. First, Petitioner’s removal is not reasonably foreseeable.
7 Respondents have no travel documents for Petitioner and obtaining travel
8 documents is unlikely. Petitioner has no ties to Iran and has never had a passport
9 issued to him by the current Iranian government. The issuance of a passport is
10 premised on the prerequisite of a birth certificate issued under the current
11 government, which must be obtained in person in Iran. “Renewals of old birth
12 certificates or replacements of lost birth certificates are available by applying *in*
13 *person* at the registry office.” *See* [https://travel.state.gov/content/travel/en/us-](https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/IranIslamicRepublicof.html)
14 [visas/Visa-Reciprocity-and-Civil-Documents-by-](https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/IranIslamicRepublicof.html)
15 [Country/IranIslamicRepublicof.html](https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/IranIslamicRepublicof.html) (emphasis added). The United States and Iran
16 have had no diplomatic relations since 1980.

17 “Respondents intent to complete a travel document request for Petitioner
18 does not make it significantly likely he will be removed in the foreseeable future”
19 or constitute a changed circumstance. *Phan*, 2025 WL 1993735, *5; *see Liu v.*
20 *Carter*, No. 25-cv-03036-JWL, 2025 WL 1696526, at *2 (D. Kan. June 17, 2025).
21

Moreover, the government's unsuccessful efforts in the past to remove Petitioner make Respondent's detention of Petitioner, without any likely prospect of removal, even more unlikely. *See Zadvydas*, 533 U.S. at 701 ("as the period of prior postremoval confinement grows, what counts as the 'reasonably foreseeable future' conversely would have to shrink"). Moreover, over two decades have passed since Petitioner was ordered removed, diminishing the prospect of removal even further. *See, e.g., Tadros v. Noem*, No. 25-cv-4108-EP, 2025 WL 1678501, at *3 (D.N.J. June 13, 2025) ("Tadros has demonstrated there is no significant likelihood of his removal in the reasonably foreseeable future because fifteen years have gone by without the Government securing. . . his removal.").

Second, Petitioner can show that Respondents did not comply with the Procedural requirements of 8 C.F.R. § 241.13(i) in revoking his release. ICE is required to follow its own regulations. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954); *see Alcaraz v. INS*, 384 F.3d 1150, 1162 (9th Cir. 2004) ("The legal proposition that agencies may be required to abide by certain internal policies is well-established."). "Where the rights of individuals are affected, it is incumbent upon agencies to follow their own procedures. This is so even where the internal procedures are possibly more rigorous than otherwise would be required." *Morton v. Ruiz*, 415 U.S. 199, 235 (1974).

1 As discussed, no “changed circumstances” makes it significantly likely that
2 Petitioner will be removed in the foreseeable future. 8 C.F.R. § 241.13(i)(2). ICE
3 did not notify Petitioner of the “reasons for revocation of his [] release,” conduct
4 “an initial informal interview promptly after his . . . return to [ICE] custody to
5 afford [him] an opportunity to respond to the reasons for revocation stated in the
6 notification,” allow Petitioner to “submit any evidence or information that he or she
7 believes shows there is no significant likelihood he or she [will] be removed in the
8 reasonably foreseeable future,” or provide a written “revocation custody review.”
9 Id. § 241.13(i)(3); *see also Hassanzadeh v. Warden*, 5:25-cv-02113-DMG-MAA
10 (C.D. Cal. Nov 25, 2025); *Phan*, 2025 WL 1993735, at *3. Moreover, ICE did not
11 consider the factors in § 241.13(f) that govern the decision to re-detain. *See also*
12 *Delkash v. Noem*, No. 5:25-cv-01675-HDV-AGR, 2025 WL 2683988, at *4 (C.D.
13 Cal. Aug. 28, 2025); *Hoang v. Santa Cruz*, No. 5:25-cv-02766-JGB-JCx (C.D. Cal.
14 Oct. 28, 2025); *Bui v. Warden of Otay Mesa Detention Facility*, No. 25-cv-2111-
15 JES-DEB, 2025 WL 2988356, at *4 (S.D. Cal. Oct. 23, 2025) (insufficient notice);
16 *Esmail v. Noem*, 2:25-cv-08325-WLH-RAO, 2025 WL 3030590, at *5 (C.D. Cal.
17 Sept. 12, 2025) (finding statement that petitioner’s “file” “had been reviewed”
18 insufficient notice); *Yang v. Kaiser*, No. 2:25-cv-02205-DAD-AC (HC), 2025
19 WL2791778, at *6 (E.D. Cal. Aug. 20, 2025) (similar); *M.S.L. v. Bostock*, No.
20 6:25-cv-01204-AA, 2025 WL 2430267, at *4, 10–11 (D. Or. Aug. 21, 2025)
21

(similar); *Sarail A. v. Bondi*, No. 25-cv-2144-ECT-JFD, 2025 WL 2533673, at *2,
10 (D. Minn. Sept. 3, 2025) (similar).

Accordingly, Petitioner is likely to succeed on his claim that his re-detention
was unlawful.

**2. Petitioner Is Likely to Succeed on the Merits of His Claim That He Is
Entitled to Legally Required Procedures Prior to Any Nonpunitive
Third Country Removal**

Petitioner is likely to succeed on the merits of his claim that he may not be
removed to a third country absent Respondents following the legally required
multistep procedures set out in 8 U.S.C. § 1231(b) and required by due process.

In Petitioner’s case, no country meets the criteria for removal under 8 U.S.C.
§ 1231(b)(2)(A)-(E). Moreover, to remove Petitioner to a third country, the statute
requires that the Attorney General—here, an immigration judge—first determine
that it is “impracticable, inadvisable, or impossible” to remove Petitioner to and
that the designated third country “will accept [Petitioner] into that country.” *Id.* §
1231(b)(2)(E)(vii); *see Himri v. Ashcroft*, 378 F.3d 932, 939 n. 4 (9th Cir. 2004) (8
U.S.C. § 1231(b)(E)(vii) “indisputably requires the Attorney General to prove that
the proposed country of removal is willing to accept the alien”); *see also Jama v.*
Immigr. & Customs Enf’t, 543 U.S. 335, 344 (2005). It is the immigration judge,
not DHS, that the statute authorizes to designate a third country for removal. 8
U.S.C. § 1231(b)(2)(E)(vii) (“the Attorney General shall remove the alien to. . .”);

1 *see also* 8 C.F.R. § 1240.10(f) (in removal proceedings the immigration judge
2 “shall. . . identify for the record a country, or countries in the alternative, to which
3 the alien’s removal may be made”).

4
5 Here, to remove Petitioner to a third country would require Respondent to
6 move to reopen Petitioner’s removal proceedings to ask an immigration judge to
7 designate a third country under the statutory process. *See, e.g., Sadychov v. Holder*,
8 565 F. App’x 648, 651 (9th Cir. 2014) (unpublished) (holding that should a new
9 country of removal be designated, “the agency must provide [the noncitizen] with
10 notice and an opportunity to reopen his case for full adjudication of his claim of
11 withholding of removal from” the third country); *Aden v. Nielsen*, 409 F. Supp. 3d
12 998, 1009, 1011 (W.D. Wash. 2019) (finding that removal proceedings “shall be
13 reopened and a hearing shall be held before the immigration judge so that petitioner
14 may apply for relief from removal” as to a country not designated in prior
15 proceedings).

16 Adherence to that process also ensures Petitioner’s statutory right to claim
17 protection in immigration court against removal to a third country where he may be
18 persecuted or tortured, a form of protection known as withholding of removal, 8
19 U.S.C. § 1231(b)(3)(A); *see also* 8 C.F.R. §§ 208.16, 1208.16, as well as his right
20 to claim deferral of removal under the Convention Against Torture (“CAT”). *See*
21

1 28 C.F.R. § 200.1 (“A removal order. . . shall not be executed in circumstances that
2 would violate [the CAT]”); 8 C.F.R. §§ 208.17-18, 1208.17-1208.18.

3
4 Of course, the statutory framework is entirely meaningless without
5 meaningful notice of a third country removal and an opportunity to respond that
6 comports with Fifth Amendment due process. *See D.V.D.*, 145 S. Ct. at 2163
7 (Sotomayor, J., dissenting) (“[t]he Fifth Amendment unambiguously guarantees
8 that right” to notice of a third country removal so that a noncitizen “learn[s] about it
9 in time to seek an immigration judge’s review”). Notice cannot be “last minute”
10 because that would deprive an individual of a meaningful opportunity to apply for
11 fear based protection from removal. *Andriasian v. INS*, 180 F.3d 1033, 1041
12 (9th Cir. 1999).

13 Individuals must have time to prepare and present relevant arguments and
14 evidence and to seek reopening of their removal case. “[W]ritten notice of the
15 country being designated” is required and “the statutory basis for the designation,
16 i.e., the applicable subsection of § 1231(b)(2)” must be specified. *Aden*, 409 F.
17 Supp. 3d at 1019; *see also D.V.D. v. U.S. Dep’t of Homeland Sec.*, No. 25-cv-
18 10676-BEM, 2025 WL 1453640, at *1 (D. Mass. May 21, 2025) (“All removals to
19 third countries, i.e., removal to a country other than the country or countries
20 designated during immigration proceedings as the country of removal on the non-
21 citizen’s order of removal, must be preceded by written notice to both the non-

1 citizen and the non-citizen's counsel in a language the non-citizen can understand."
2 (internal citation omitted)); *Andriasian*, 180 F.3d at 1041 (due process requires
3 notice to the noncitizen of the right to apply for asylum and withholding to the
4 country where they will be removed).

5
6 Due process also demands that the government "ask the noncitizen whether
7 he or she fears persecution or harm upon removal to the designated country and
8 memorialize in writing the noncitizen's response. This requirement ensures DHS
9 will obtain the necessary information from the noncitizen to comply with §
10 1231(b)(3) and avoids [a dispute about what the officer and noncitizen said]."
11 *Aden*, 409 F. Supp. 3d at 1019.

12 Respondents' third country removal program skips over these statutory and
13 constitutional procedural protections. According to ICE's guidance, individuals can
14 be removed to third countries "without the need for further procedures," so long as
15 "the [U.S.] has received diplomatic assurances." *See* Exhibit H.

16 Petitioner is likely to succeed on the merits of his claim on this fact alone,
17 because the policy instructs officers to violate the statutory and constitutional
18 requirements. The same is true of the minimal procedures ICE offers when no
19 diplomatic assurances are present. The policy provides no meaningful notice,
20 instructs officers not to ask about fear, and provides no actual opportunity to see
21 counsel and prepare a fear-based claim, let alone reopen removal proceedings. In

1 sum, it directs ICE officers to violate the rights of those whom they seek to subject
2 to the third country removal program.

3
4 Several courts have recently granted individual TROs against removal to
5 third countries under similar circumstances. *See generally J.R. v. Bostock*, 25-cv-
6 01161-JNW, 2025 WL 1810210 (W.D. Wash. Jun. 30, 2025) (immediately
7 enjoining removal to “Cuba, Libya, or any third country in the world absent prior
8 approval from this Court”); *Phan*, 2025 WL 1993735, at *7 (enjoining Respondents
9 from “re-detaining or removing Petitioner to a third country without notice and an
10 opportunity to be heard”); *Hoac*, 2025 WL 1993771, at *7 (same); *Vaskanyan v.*
11 *Janecka*, 25-cv-01475-MRA-AS, 2025 WL 2014208 (C.D. Cal. Jun. 25, 2025);
12 *Ortega v. Kaiser*, 25-cv-05259-JST, 2025 WL 1771438 (N.D. Cal. June 26, 2025).

13 **3. Petitioner Is Likely to Succeed on the Merits of His Claim That the**
14 **Constitution Prohibits Punitive Third Country Removals**

15 Petitioner is likely to succeed on the merits of his claim that the Constitution
16 prohibits him from being subjected to Respondents’ punitive third country removal
17 program. The prohibition against imposing punitive measures on an individual
18 subject to a final order of removal is as old as immigration law. *Wong Wing v.*
19 *United States*, 163 U.S. 228 (1896). In *Wong Wing*, the Supreme Court struck down
20 a provision of the Chinese Exclusion Act that imposed one year of imprisonment at
21 hard labor as an immigration sanction before their deportation. *Id.* at 237. The

1 Court drew a distinction between “deportation,” which it described as a sanction for
2 failure to comply with the legal requirements of residency in the U.S. that may
3 be imposed by executive authorities, and “punishment,” which may not. *Id.* at 236-
4 37. The Court held that the government could not attach a punishment to
5 deportation—here, imprisonment—without criminal charges, a judicial trial, and
6 the concomitant protections of the Fifth, Sixth and Eighth Amendments. *Id.*
7

8 The government’s third country removal program defies 130 years of
9 constitutional immigration law between civil penalty and infamous punishment.
10 *See, e.g., Zadvydas, 533 U.S. at 694.* Respondents’ third country removal program
11 is designed to punish those it deports by subjecting them to imprisonment upon
12 their arrival in the receiving countries. Respondents’ program is not simply about
13 removing individuals to third countries. It is about removing them to be imprisoned
14 upon arrival and paying countries to carry out said imprisonment; selecting
15 countries and overseas prisons (like CECOT and Guantanamo) notorious for
16 cruelty, torture, lawlessness, and other human rights abuses; and broadcasting these
17 third country removals across public media platforms to demonize the deportees
18 and strike extreme fear in the immigrant community that people self-deport. This
19 program is about punitive banishment.

20 To determine whether a given sanction constitutes punishment, courts look to
21 intent. If the government’s intent is to punish, “that is the end of the inquiry.” *Am.*

1 *Civ. Liberties Union of Nevada v. Masto*, 670 F.3d 1046, 1053 (9th Cir. 2012)
2 (citing *Smith v. Doe*, 538 U.S. 84, 92 (2003)).
3

4 Here, the government's own statements show intent to deport individuals,
5 particularly those with criminal convictions, into situations of forever confinement
6 or substantial harm. When the government's intent to punish is unclear, courts
7 move to the second step of the inquiry to determine whether the practices are "so
8 punitive either in purpose or effect as to negate the [government's] intention to
9 deem it civil." *Id.* (quoting *Smith*, 538 U.S. at 92). To determine punitive purpose
10 or effect, courts often turn to the factors laid out in *Kennedy v. Mendoza-Martinez*,
11 372 U.S. 144, 168-69 (1963). *See also Hudson v. United States*, 522 U.S. 93,
12 99 (1997) ("the factors listed in *Kennedy v. Mendoza-Martinez* [citation], provide
13 useful guideposts"). Those factors are: "[w]hether the sanction involves an
14 affirmative disability or restraint, whether it has historically been regarded as a
15 punishment, whether it comes into play only on a finding of scienter, whether its
16 operation will promote the traditional aims of punishment—retribution and
17 deterrence, whether the behavior to which it applies is already a crime, whether an
18 alternative purpose to which it may rationally be connected is assignable for it, and
19 whether it appears excessive in relation to the alternative purpose assigned."
20 *Mendoza-Martinez*, 372 U.S. at 168-69 (footnotes omitted).
21

1 Under these factors, the government's third country removal program
2 undeniably constitutes punishment, as each factor is met. For example, under the
3 first factor, the government's practices of deporting people only to have them
4 imprisoned or subjected to other forms of physical harm, is an "affirmative
5 disability or restraint." The "paradigmatic affirmative disability" is the "punishment
6 of imprisonment." *Smith*, 538 U.S. at 100. Moreover, under this factor, "we inquire
7 how the effects of the [sanction] are felt by those subject to it. If the disability or
8 restraint is minor and indirect, its effects are unlikely to be punitive." *Id.* at 99-100.
9 There can be no question that being deported to a country to be imprisoned or
10 experience other extreme harm will be felt as a significant and direct disability or
11 restraint.

12
13 The second factor is also satisfied. "[D]evices of banishment and exile have
14 throughout history been used as punishment." *Mendoza-Martinez*, 372 U.S. at 168
15 n.23. In 1791, the year the Bill of Rights was ratified, deportation was exclusively
16 used and understood as punishment. *Fong Yue Ting v. U.S.*, 149 U.S. 698, 740-41
17 (1893) (Brewer, J. dissenting) (citing President James Madison); *see id.* at 740
18 ("[I]t needs no citation of authorities to support the proposition that deportation is
19 punishment. Everyone knows that to be forcibly taken away from home and family
20 and friends and business and property, and sent across the ocean to a distant land, is
21 punishment, and that oftentimes most severe and cruel."). Banishment as a form of
punishment dates to ancient times and was used on citizens and noncitizens alike.

1 Peter L. Markowitz, *Deportation is Different*, 13 U. Pa. J. Const. L. 1299, 1308-09
2 (2011) (tracing the use of banishment from medieval England through colonial
3 America).

4
5 The fourth factor, whether it promotes the traditional aims of punishment—
6 retribution and deterrence, is also satisfied. The government’s own statements make
7 clear that its goals are retribution and deterrence to encourage people to leave the
8 country on their own. As DHS Secretary Kristi Noem stated, “President Trump and
9 I have a clear message to criminal illegal aliens: LEAVE NOW. If you do not
10 leave, we will hunt you down, arrest you, and you could end up in this El
11 Salvadorian prison.” *See* <https://www.dhs.gov/medialibrary/assets/video/58918>.

12 The Supreme Court has made clear that such “general deterrence”
13 justifications are impermissible absent criminal process. *See Kansas v. Crane*, 534
14 U.S. 407, 412 (2002) (warning that civil detention may not “become a ‘mechanism
15 for retribution or general deterrence’—functions properly those of criminal law, not
16 civil commitment” (*quoting Kansas v. Hendricks*, 521 U.S. 346, 373 (1997)
17 (Kennedy, J., concurring) (emphasis added)); *see Hendricks*, 521 U.S. at 373
18 (Kennedy, J. concurring) (“[W]hile incapacitation is a goal common to both the
19 criminal and civil systems of confinement, retribution and general deterrence are
20 reserved for the criminal system alone.”).

1 The program satisfies the third, fifth, sixth and seventh factors too because
2 Respondents have designed this program specifically for those being deported for
3 criminal convictions, there is no logical nonpunitive rationale for deporting people
4 into dangerous conditions of imprisonment or other harm, and the program is
5 designed to be patently excessive in relation to the purpose of simply removing
6 people from the country.

7
8 **4. Petitioner Is Likely to Succeed on the Merits of His Claim That the
Government Violated the Rehabilitation Act § 504, 29 U.S.C. § 794**

9 To bring a Section 504 claim, a plaintiff must show that “(1) he is an
10 individual with a disability; (2) he is otherwise qualified to receive the benefit; (3)
11 he was denied the benefits of the program solely by reason of his disability; and (4)
12 the program receives federal financial assistance.” *Updike v. Multnomah Cty.*, 870
13 F.3d 939, 949 (9th Cir. 2017) (quoting *Duvall v. Cty. of Kitsap*, 260 F.3d 1124,
14 1135 (9th Cir. 2001)). Section 504 includes an “affirmative obligation” to make
15 benefits, services, and programs accessible to people with disabilities.³³ Id.
16 (citations omitted).

17 The programmatic “benefit” in this context is best understood as
18 participation in the removal process. The “accommodation” Petitioner seeks is
19 participation in his removal process without jeopardizing his health and safety.
20
21

1 Petitioner's advance age and serious medical condition makes it impossible
2 for the government to keep him safe while he is detained. The government does
3 not have the medicine and specialized care needed to keep Petitioner safe.

4
5 Petitioner can participate in his removal process through a reasonable
6 accommodation of placing Petitioner in an Alternatives to Detention program that
7 will allow for this participation without risking his health as a result of his
8 disability.

9 **B. Petitioner Will Suffer Irreparable Harm Absent Injunctive Relief.**

10 "It is well established that the deprivation of constitutional rights
11 'unquestionably constitutes irreparable injury.'" *Melendres v. Arpaio*, 695 F.3d
12 990, 1002 (9th Cir. 2012) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)).
13 Where the "alleged deprivation of a constitutional right is involved, most courts
14 hold that no further showing of irreparable injury is necessary." *Warsoldier v.*
15 *Woodford*, 418 F.3d 989, 1001-02 (9th Cir. 2005) (quoting *Charles Alan Wright et*
16 *al., Federal Practice and Procedure*, § 2948.1 (2d ed. 2004)). "Unlawful detention
17 certainly constitutes 'extreme or very serious' damage, and that damage is not
18 compensable in damages." *Hernandez v. Sessions*, 872 F.3d 976, 999 (9th Cir.
19 2017).

20 Here, the irreparable harm to Petitioner and his family is severe. His medical
21 condition is one that will seriously deteriorate while detained. He has no access to

1 the specialized care he must receive for his rare liver disease, with death as a result
2 of this condition being a very real possibility.

3
4 Absent relief, Petitioner's health will severely deteriorate, he will remain
5 detained in an indefinite and prolonged state, denied his liberty, removed from his
6 livelihood, separated from his family, and removed from his family and community
7 where he belongs.

8 **C. The Balance of Hardships and Public Interest Weigh Heavily in Petitioner's**
9 **Favor.**

10 The final two factors for a preliminary injunction—the balance of hardships
11 and public interest—“merge when the Government is the opposing party.” *Nken v.*
12 *Holder*, 556 U.S. 418, 435 (2009). “[T]he balance of hardships tips decidedly in
13 plaintiffs’ favor” when “[f]aced with such a conflict between financial concerns and
14 preventable human suffering.” *Hernandez*, 872 F.3d at 996 (quoting *Lopez v.*
15 *Heckler*, 713 F.2d 1432, 1437 (9th Cir. 1983)).

16 Here, the balance of hardships tips in Petitioner's favor. Petitioner faces
17 weighty hardships: severely deteriorating health, deprivation of his liberty and
18 removal to a third country where he is likely to suffer imprisonment or other
19 serious harm. “[T]he [government] cannot reasonably assert that it is harmed in any
20 legally cognizable sense by being enjoined from constitutional violations.” *Zepeda*
21 *v. I.N.S.*, 753 F.2d 719, 727 (9th Cir. 1983). Moreover, it is always in the public

1 interest to prevent violations of the U.S. Constitution and ensure the rule of law.
2 *See Nken*, 556 U.S. at 436 (describing public interest in preventing noncitizens
3 “from being wrongfully removed, particularly to countries where they are likely to
4 face substantial harm”); *Moreno Galvez v. Cuccinelli*, 387 F. Supp. 3d 1208, 1218
5 (W.D. Wash. 2019) (when government’s treatment “is inconsistent with federal
6 law, . . . the balance of hardships and public interest factors weigh in favor of a
7 preliminary injunction.”).

8
9 Accordingly, the balance of hardships and the public interest
10 overwhelmingly favor emergency relief to ensure Petitioner’s freedom and prevent
11 unlawful third country removal.

12 **D. The All Writs Act Confers Broad Power to Preserve the Integrity of**
13 **Court Proceedings.**

14 Besides qualifying for a TRO under the Federal Rules, this is a textbook case
15 for use of the All Writs Act (“AWA”), which provides courts with a powerful tool
16 to “maintain the status quo by injunction pending review of an agency’s action
17 through the prescribed statutory channels.” *F.T.C. v. Dean Foods Co.*, 384 U.S.
18 597, 604 (1966) (citation omitted); 28 U.S.C. § 1651(a); *California v. M&P Inv.*, 46
19 F. App’x 876, 878 (9th Cir. 2002) (unpublished) (finding Act should be broadly
20 construed to “achieve all rational ends of law” (*quoting Adams v. United States*,
21 317 U.S. 269, 273 (1942))).

1
2 **V. CONCLUSION**

3 For the foregoing reasons, the Court should immediately grant Petitioner's
4 TRO.

5 Dated: **December 16, 2025**

Respectfully submitted,

6 /s/ Ashkan Yekrangi

7 Ashkan Yekrangi, Esq.
8 *Counsel for Petitioner*
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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 16 day of December 2025.

s/Ashkan Yekrangi

Ashkan Yekrangi

Counsel for Petitioner

1 **CERTIFICATE OF COMPLIANCE WITH L.R. 11-6.2**

2 The undersigned, counsel of record for Respondent, certifies that the
3 memorandum of points and authorities contains 6,437 words, which complies with
4 the word limit of L.R. 11-6.1

5 Dated: December 16, 2025

/s/ Ashkan Yekrangi

6 ASHKAN YEKRANGI, ESQ.
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Office for the Protection of the Interests of the Islamic Republic of Iran - Washington, DC
Embassy of Pakistan - Interests section of the Islamic Republic of Iran



December 14, 1404

Passport

Pass card

Passport

Passport issuance/renewal

Documents required for passport issuance/renewal:

thePrint receipt of "Passport Issuance" request received from ○
"Validity Expiry" as the reason for the (select Mikhak system
request)

Form No. ۰۰۱ ○

Original passport ○

Original birth certificate* ○

Original or photocopy of national ID card* ○

Original or photocopy of valid residence documents ○

Original or photocopy of end of service/exemption card (for men ○
between ۱۸ and ۵۰ years old)

the photo guideNumber of new photos (according to ○

the list of according to Money OrderService fee in the form of ○
۰۰۰ consular service fees

Changing the place of residence in the passport (to the •

US/Canada) is only possible upon direct request from the
applicant and meeting the conditions.

If a change of residence is requested, the cost must be added •
to the issuance fee.



12/15/25, 8:56 AM

Office for the Protection of the Interests of the Islamic Republic of Iran – Washington, DC

ID #: 113

If your place of residence in the passport issued by this •
 the Islamic Republic of Iran , you embassy is registered as
 must apply to the passport office in your city of residence upon
 your first entry into the country to obtain permission to leave
 the country.

Indicating a place of residence abroad in the passport •
 constitutes permission to leave the country repeatedly (except
 for eligible individuals).

According to Iranian civil law, the place of residence (listed in •
 the passport) of a wife/children under 18 years of age is subject
 to the place of residence (listed in the passport) of the
 husband/father. If there is a need to change the place of
 residence in the passport (to the US/Canada), a written request
 from the husband/father is required.

If your ID card does not have a photo and you are over the age •
 of fifteen, you must apply for a replacement of your ID card at
 the same time as your passport renewal application by
Form ۴۲۳ referring to

*** If the original ID card/national card is in Iran, your relatives can**
 take it to the Ministry of Foreign Affairs and request that a copy of
 the original be sent to this mission.

Passport separation

Documents required for passport separation:

thePrint the receipt for the "Passport" application received from •
 "Validity Expiry" (select the reason for the request as Mihk system
)

Form No. ۰۰۱ •

The original passport with which you left Iran. •

Original birth certificate* •

EXHIBIT E

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

Continuation Page for I-220B

Alien's Name
MAJD, Kazem

File Number

Date

10/26/2004

Alien's Signature

Alien's Address

KAZEM MAJD

Alien's Telephone Number (if any)

Address updated w/DMV on 1/05. mpe

RIGHT INDEX PRINT

PERSONAL REPORT RECORD

DATE	OFFICER	COMMENT/CHANGES
10/26/04	D 06	SUBJECT RELEASED 10/26/04. TO REPORT TO LOS/DRO ON 11/2/04.
11/2/04	424	2/2/05
2/4/05	404	SUBJ. RESIDES MARBY WINDRO 3/4/05
3/4/05	mpe	RIP/NC Subj. enrolled in MSR. Call once per month. Report in person on 6/15/05.
6/20/05	mpe	RIP/NC continue calling monthly. Report next on 9/20/05.
9/22/05	mpe	RIP/NC Continue calling monthly, including month of September. Next report date 3/22/06.
12/16/05	mpe	Subj reported per A-56 to fill out TD Request Birth Cert App. & O/S Addendum. Next report date 3/22/06.
3/23/06	mpe	RIP/NC Continue calling monthly. Report next - 9/25/06.
10/2/06	LCB	RIP/NC Continue calling monthly - Report 1/3/07
1/5/07	LCB	RIP/NC Continue calling monthly - Report 4/2/07
4/6/07	GC	RIP/NC Next RPT 5/7/07
5/7/07	GC	RIP/NC Cont. Calling Monthly Next RPT 8/8/07
8/8/07	GC	RIP/NC " " " " Next RPT Date 1/8/08
01/08/12	CT	22 P RTN 04/08/12

Signature

Title

DEPORTATION OFFICER

Order of Supervision

MAJID, Kazem

Personal Report Record

Date	Officer		Next Date
11/8/07	LB	RIP/CC Continue Calling Monthly - Report	2/8/08
2/8/08	GL	RIP/CC - 11 - Next Report	5/8/08
5-7-08	OK	RIP MXT RIP	8-4-08
8-4-08	OK	RIP MXT RIP	11-4-08
11-4-08	TD	RIP, Return	2-4-09
2-4-09	DL	RIP - RTN	5-7-09
5/2/09	HC	RIP RTN	8/2/09
8-7-9	DL	RIP RTN	11-2-9
11-2-9	OK	RIP RTN	3-2-10
3/1/10	MT	RIP RTN	6/1/10
6/2/10	MT	RIP RTN	9/2/10
9-2-10	MT	RIP RTN	12-2-10
12/2/10	LT	RIP RTN data	3/2/11
3/4/11	MT	RIP RTN	6/8/11
06/09/11	AL	RIP RTN	07/1/2011
7/5/11	H	RIP RTN	11/12/10/11
10/6/11	H	RP RTN	1/9/12
6/09/12	L	RIP RTN	04/09/12
4/9/12	S.C.	RIP RTN	10/10/12
10/10/12	S.C.	RIP RTN	OCT 10 2013
6/6/13	WJ	RIP RTN	DEC 09 2013
12/9/13	JH	RIP RTN	MAY 09 2014
5/9/14	S.C.	RIP RTN	NOV 10, 2014
11/10/14	S.C.	RIP RTN	NOV 10 2015
11-10-15	TD	RIP RTN	NOV 10, 2016
11/10/16	ML	RIP RTN	NOV 6, 2017
11/06/17	ML	RIP RTN	Nov 6, 2018
11/6/18	L	RIP RTN	11/6/19
11/6/19	ML	RIP RTN	11/05/20
NOV 02 2021	ML	Return	NOV 02 2022
NOV 06 2022	ML	Return	NOV 07 2024

EXHIBIT F

December 15, 2025

Department of Homeland Security
Immigration and Customs Enforcement

RE: Letter of Support for Kazem Majd (A 

My name is Carolyn Majd, I am 74 years of age, a US-born citizen, and was married to Kazem Majd in 1973. Although divorced in 1992, we have remained lifelong partners and have continued to live together for 50+ years. I am writing respectfully to request that my husband not be detained due to the extreme hardship I would suffer.

I am an only child and do not have siblings. His detention would cause me irreparable emotional, financial and psychological harm. Due to several joint replacement and spinal fusion surgeries, the most recent in July, 2024, my mobility has been greatly diminished and I must rely on a walker or cane to get around. Walking any distance is difficult for me, and I also have a history of falls at home. I rely on him solely as I also have no friends to help me out and no one to pick me up if I fall.

My driving is limited as well, due to a serious auto accident in October, 2023, in which the car was totaled. I depend on him to take me to any doctor or other appointment which requires freeway driving.

I also suffer from Ulcerative Colitis and have been hospitalized numerous times due to intestinal blockages which render me weak and unable to care for myself. In February, 2024, I was hospitalized three times and finally had surgery to clear scar tissue in my colon. Stress and anxiety greatly contribute to my intestinal difficulties and as of this writing I am suffering from a colitis flare due to the shock of his being detained on December 11, 2024. He had just the week before been fitted for an ankle monitor followed by a smartphone monitor, so his detention was a cruel blow.

I am asking for your compassion and understanding. I respectfully request that you consider the extreme hardship I would be forced to endure if Kazem were not allowed to remain on release with annual check-in. He has a long history of reporting to you annually and on time, 23 years to be exact.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. I would be happy to answer any questions or provide any paperwork you require.

Carolyn Majd

Carolyn D. Majd



EXHIBIT G

I, Olia Majd, submit this declaration in support of my father, Kazem Majd, who is currently detained by Immigration and Customs Enforcement (ICE).

I am my father's daughter and a United States citizen. I am gravely concerned that my father's continued detention places his health and life at serious risk.

My father is 77 years old and has lived in the United States for close to 60 years. He has complied fully with ICE supervision for over 23 years, reporting annually without fail and posing no risk to public safety.

He suffers from a **rare, progressive medical disease**, along with other chronic conditions, that requires daily medications, frequent medical imaging such as MRIs, and close medical oversight. His physicians have documented that **without uninterrupted treatment and proper monitoring, his condition can result in severe complications, including death.**

Before his detention, I was closely involved in managing my father's medical care, including communicating with his doctors, coordinating appointments, and ensuring he took his medications as prescribed. Continuity of care is critical to managing his condition safely.

Given his age and medical fragility, detention itself poses significant risk even with evaluation, as interruptions in care or inadequate oversight can cause rapid deterioration.

My father is also the primary source of physical and financial support for his partner, a United States citizen who is handicapped and relies on him for daily assistance. His detention has placed those responsibilities onto me, creating significant hardship and further destabilizing our family. This additional strain underscores the unnecessary and harmful consequences of his continued detention.

My father is elderly, medically vulnerable, and has demonstrated extraordinary compliance with government supervision for more than two decades. Continued detention serves no legitimate purpose and instead places him at risk of irreversible harm.

I respectfully request that the Court consider his release under appropriate supervision so that he may receive consistent and appropriate medical care outside of detention.

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

Respectfully,

Olia Majd

Olia Majd
Daughter of Kazem Majd
12/14/2025

EXHIBIT H

Office of the Secretary
U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

March 30, 2025

MEMORANDUM FOR: Kika Scott
Senior Official Performing the Duties of the Director
U.S. Citizenship and Immigration Services

Pete R. Flores
Senior Official Performing the Duties of the Commissioner
U.S. Customs and Border Protection

Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement

FROM: Kristi Noem
Secretary of Homeland Security 

SUBJECT: **Guidance Regarding Third Country Removals**

Purpose

This memorandum clarifies DHS policy regarding the removal of aliens with final orders of removal pursuant to sections 240, 241(a)(5), or 238(b) of the Immigration and Nationality Act (INA) to countries other than those designated for removal in those removal orders (third country removals).¹ DHS has used similar processes before, including with respect to Title 42 expulsions and the Migrant Protection Protocols.

Process Regarding Third Country Removals²

Written Notice to the Alien & Fear Screening

Prior to the alien's removal to a country that had not previously been designated as the country of removal, DHS must determine whether that country has provided diplomatic assurances that aliens removed from the United States will not be persecuted or tortured. If the United States has received such assurances, and if the Department of State believes those assurances to be credible, the alien

¹ This memorandum does not address expedited removals pursuant to INA § 235(b)(1).

² These procedures only apply to aliens who have no ongoing proceeding in which to raise a claim under INA § 241(b)(3) or the Convention Against Torture. For aliens who have such proceedings, DHS will follow existing procedures.

Page 2

may be removed without the need for further procedures. If the United States has not received those assurances, or if the Department of State does not believe them to be credible, DHS must follow the procedures below.

DHS will first inform the alien of removal to that country. Immigration officers will not affirmatively ask whether the alien is afraid of being removed to that country. DHS is taking this approach in line with its determination in mid-2024 that such questioning may be suggestive and that asking them leads to false claims rendering the immigration system as a whole less efficient. *Securing the Border*, 89 Fed. Reg. 48710, 48743 (June 7, 2024) (noting that aliens are “more likely to respond in the affirmative, even if they do not in fact have a fear of return or intention of seeking asylum” when asked affirmative fear questions); *Securing the Border*, 89 Fed. Reg. 81156, 81235 (Oct. 7, 2024). The allegation that a foreign country’s government will torture an alien or allow an alien to be persecuted, particularly a government with which the United States has a diplomatic relationship, is a serious one. It is not unreasonable for an alien in that circumstance to be expected to affirmatively express a fear of persecution or torture.

Immigration officers will refer any alien who affirmatively states a fear of removal to U.S. Citizenship and Immigration Services (USCIS) for a screening for eligibility for protection under INA § 241(b)(3) and the Convention Against Torture (CAT) for the country of removal.

Where the Alien Affirmatively States a Fear

In cases where the alien affirmatively states a fear, USCIS will generally screen the alien within 24 hours of referral from the immigration officer. This screening may be done remotely. USCIS will determine whether the alien would more likely than not be persecuted on a statutorily protected ground or tortured in the country of removal. If USCIS determines that the alien has not met this standard, the alien will be removed.

If USCIS determines that the alien has met this standard and the alien was not previously in proceedings before the Immigration Court, USCIS will refer the matter to the Immigration Court in the first instance. In cases where the alien was previously in proceedings before the Immigration Court, USCIS will notify the referring immigration officer of its finding, and the immigration officer will inform U.S. Immigration and Customs Enforcement (ICE). ICE OPLA may file a motion to reopen with the Immigration Court or the Board of Immigration Appeals, as appropriate, for further proceedings for the sole purpose of determining eligibility for protection under INA § 241(b)(3) and CAT for the country of removal. Alternatively, ICE may choose to designate another country for removal.