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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Salah Hassan,

15 Petitioner,

16 v.

17 Todd Blanche, *et al.*,

18 Respondents.

Case No. 2:26-cv-00411-JAD-MDC

**Reply in Support of First Amended
Petition Under 28 U.S.C. § 2241**

[ECF No. 8]

19 INTRODUCTION

20 Petitioner Salah Hassan,¹ a citizen of Sudan, was lawfully admitted to the
21 United States in 2006 as a refugee fleeing genocide. He was ordered removed on
22 February 8, 2021, but he was simultaneously granted deferral of removal under the
23 Convention Against Torture (CAT).² He was detained for the 90-day removal
24

25 ¹ In light of the EOIR documents he has submitted, *see* ECF No. 8-2 at 3, Mr.
26 Hassan respectfully requests that the Court order the clerk to update the docket to
27 reflect his name as “Salah Hassan.”

² ECF No. 8-2 at 14.

1 window starting in February 2021, then was released on supervision in June 2021.³
2 On January 19, 2026, he was taken into custody following a misdemeanor trespass
3 offense for riding a train without a ticket,⁴ and he has remained in ICE custody
4 since that time.

5 Mr. Hassan's continued detention is unreasonable and violates due process
6 under *Zadvydas v. Davis*, 533 U.S. 678, 698 (2001), because his removal is not
7 reasonably foreseeable. As discussed below, the presumptively reasonable six-
8 month period of detention started on the date the removal order became final. In
9 Mr. Hassan's case, that six-month period expired in 2021. But even if this Court
10 instead considers his cumulative time in detention, there is no dispute that Mr.
11 Hassan was detained for *at least* 90 days in 2021,⁵ and as of April 20, 2026, he will
12 have been detained for over three months in his present detention. Because he has
13 cumulatively been detained over six months, and because his removal is not
14 reasonably foreseeable, Mr. Hassan's continuing detention violates due process
15 under *Zadvydas*. He cannot be removed to Sudan; the Federal Respondents do not
16 allege that any specific plans have been made to deport him; and no other third
17 country designation has been made. Respondents do not even attempt to rebut Mr.
18 Hassan's argument that removal is not reasonably foreseeable, let alone provide
19 evidence to support such a claim.

20 Moreover, Mr. Hassan's order of supervision was apparently revoked when he
21 was returned to ICE custody on January 19, 2026, yet ICE did not follow its
22 procedures concerning the re-detention of noncitizens.⁶ The Federal Respondents
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25 ³ ECF No. 8 at 6–7; ECF No. 18 at 10 (agreeing with the same).

26 ⁴ ECF No. 18 at 2; ECF No. 18-2 at 3.

27 ⁵ ECF No. 18 at 10.

⁶ See ECF No. 8 at 19–21.

1 provide no meaningful counterargument to this claim, or to Mr. Hassan's third
 2 country removal claims.⁷ In light of these due process violations, the petition should
 3 be granted, and this Court should order Mr. Hassan's immediate release.

4 ARGUMENT

5 **I. This Court has jurisdiction over Mr. Hassan's petition.**

6 Respondents devote much of their response to arguing that this Court does
 7 not have jurisdiction over Mr. Hassan's petition pursuant to the INA and the REAL
 8 ID Act.⁸ Ignoring 8 U.S.C. § 2241, Supreme Court precedent, and the decisions of
 9 district courts in this district and throughout the United States, Respondents argue
 10 8 U.S.C. § 1252(g) "bars habeas review in federal district court of claims arising
 11 from a decision or action to 'execute' a final order of removal."⁹ Respondents also
 12 emphasize the Third Circuit's decision in *Tazu v. Att'y Gen. United States*, 975 F.3d
 13 292, 297–99 (3d Cir. 2020),¹⁰ which, as an initial matter, is not binding on this
 14 Court.

15 Respondents are incorrect that § 1252(g) eliminates subject-matter
 16 jurisdiction here.¹¹ Section 1252 applies to the judicial review of orders of removal.
 17 As Respondents recognize in a footnote,¹² the full clause in § 1252(g) states "[e]xcept
 18 as provided in this section *and notwithstanding any other provision of law (statutory*
 19 *or nonstatutory), including section 2241. . . no court shall have jurisdiction to hear*
 20 *any cause or claim by or on behalf of an alien arising from the decision or action by*
 21 *the Attorney General to commence proceedings, adjudicate cases, or execute*

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 23 ⁷ See ECF No. 18 at 10–11.

24 ⁸ See ECF No. 18 at 5–8.

25 ⁹ ECF No. 18 at 5.

26 ¹⁰ ECF No. 18 at 6–8.

27 ¹¹ ECF No. 18 at 5.

¹² ECF No. 18 at 5 n.1.

1 removal orders.” 8 U.S.C. § 1252(g) (emphasis added). Additionally, a full reading of
2 *Tazu* is important. Judge Bibas opens the opinion by stating, “[i]n law, as in life, the
3 path often matters as much as the destination. For an alien *challenging his*
4 *removal*, that path begins with a petition for review of his removal order, not a
5 habeas petition.” *Tazu*, 975 F.3d at 294 (emphasis added). Indeed, as the *Tazu*
6 opinion notes in the second paragraph, Tazu filed a habeas petition to stop the
7 execution of his removal order while he attempted to reopen his removal
8 proceedings. *Id.* Neither § 1252(g) nor *Tazu* apply here because Mr. Hassan is not
9 challenging his order of removal.

10 Respondents also incorrectly contend that Mr. Hassan cannot challenge his
11 detention pursuant to § 1252(b)(9). However, once again, this section is addressing
12 challenges to final orders of removal. Respondents claim that the Third Circuit in
13 *Tazu* held “the same claims concerning a revocation of supervised release and re-
14 detention which were barred under 1252(g) were also barred under 1252(b)(9)
15 because the claims arose from actions taken to execute the petitioner’s removal.”¹³
16 Respondents again misstate the Third Circuit’s decision. *Tazu* does state
17 § 1252(b)(9) “eliminates the District Court’s jurisdiction over Tazu’s re-detention
18 claim, as it ‘arises from’ an action taken to execute his removal.” *Tazu*, 975 F.3d at
19 299. But Tazu’s case was in a different procedural posture, and the Third Circuit
20 explicitly distinguished circumstances like Mr. Hassan’s.

21 *Tazu* is clear that § 1252(b)(9) “does not foreclose all claims by an
22 immigration detainee.” *Id.* For example, “[i]f Tazu had *challenged the length of his*
23 *confinement*, . . . he could have pursued that challenge outside a petition for review.
24 *Id.* (emphasis added). Importantly, “[c]hallenges to the length or conditions of an
25 alien’s confinement are not directly about removal. For these claims, review is now
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27 ¹³ ECF No. 18 at 7–8 (citing *Tazu*, 975 F.3d at 299).

1 or never.” *Id.* (internal quotation marks omitted). Therefore, according to
2 Respondents’ own precedent, Mr. Hassan’s challenge to the length of his
3 confinement is proper.

4 In challenging this Court’s jurisdiction over Mr. Hassan’s petition,
5 Respondents ignore 28 U.S.C. § 2241 and *Zadvydas v. Davis*, 533 U.S. 678, 688
6 (2001). The Supreme Court was clear in *Zadvydas* that § 2241 is a proper forum to
7 challenge post-removal detention. It explained that while § 1252 provides “no court
8 shall have jurisdiction to review” decisions specified “to be in the discretion of the
9 Attorney General,” when petitioners “do not seek review of the Attorney General’s
10 exercise of discretion” but rather “challenge the extent of the Attorney General’s
11 authority under the post-removal-period detention statute,” courts have jurisdiction
12 to review decisions through § 2241. *See id.* (internal quotation marks omitted).
13 Respondents’ jurisdiction argument is without merit.

14 **II. Mr. Hassan’s continued detention violates due process.**

15 The Due Process Clause of the Fifth Amendment forbids the government
16 from depriving any “person” of liberty “without due process of law.” U.S. Const.
17 amend. V. Mr. Hassan has a liberty interest in remaining free from physical
18 confinement where removal is not reasonably foreseeable.¹⁴ By detaining Mr.
19 Hassan past the six-month presumptively reasonable period when his removal is
20 not reasonably foreseeable, the Federal Respondents have violated the Due Process
21 Clause. As discussed below, there can be no real dispute that the six-month period
22 has elapsed, and the Respondents do not argue that Mr. Hassan’s removal is
23 reasonably foreseeable. *Zadvydas* thus requires that Mr. Hassan be immediately
24 released. *See* 533 U.S. at 700-01 (describing release as an appropriate remedy); 8
25 U.S.C. § 1231(a)(6) (authorizing release “subject to . . . terms of supervision”).

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27 ¹⁴ *See* ECF No. 8 at 17–19.

A. Mr. Hassan's petition is not premature.

Respondents contend that Mr. Hassan's petition should be denied because he has been detained on a final order of removal for less than the presumptively reasonable time limit of six months established by the Supreme Court in *Zadvydas*.¹⁵ Under any reading of the law, Respondents are incorrect.

1. The 90-day removal period has long since passed.

Respondents do not contest that Mr. Hassan was previously detained for the 90-day removal period in 2021.¹⁶ As Mr. Hassan explained in his amended petition, the 90-day removal period began either on February 8, 2021, when the IJ ordered removal and granted CAT relief (if both parties waived appeal), or 30 days later, when the time to file an appeal expired. *See* 8 U.S.C. § 1231(a)(1)(B)(i); 8 C.F.R. § 1241.1(b).¹⁷ As relevant here, the removal period begins once a noncitizen's removal order becomes administratively final and lasts for 90 days. 8 U.S.C. § 1231(a)(1)-(2). It does not restart when someone is later detained. There is no dispute that the 90-day removal period ended nearly 5 years ago.

2. The *Zadvydas* six-month period of presumptive reasonableness has long since passed.

Next, this Court must consider when the six-month period of presumptive reasonableness runs. The answer is that it starts during the 90-day removal period after the order of removal becomes final, 8 U.S.C. § 1231(a)(1)(B), and comprises that period and the following three months. *See Kim Ho Ma v. Ashcroft*, 257 F.3d 1095, 1102 n.5 (9th Cir. 2001) (explaining the period of presumptive reasonableness is "*six months* after a final order of removal—that is, *three months* after the statutory removal period has ended"). Here, Mr. Hassan's order of removal was

¹⁵ ECF No. 18 at 9–10.

¹⁶ ECF No. 18 at 10.

¹⁷ ECF No. 8 at 18.

1 entered on February 8, 2021, and Respondents do not argue or provide any
 2 documentation indicating that Mr. Hassan's removal order became final any later.¹⁸
 3 Accordingly, the record indicates that his 90-day removal period began on February
 4 8, 2021, 8 U.S.C. § 1231(a)(1)(B), and expired six months later, on August 8, 2021.¹⁹
 5 Respondents' argument that Mr. Hassan's petition is premature is simply incorrect,
 6 as the window of presumptive reasonableness has long since passed.

7 Respondents imply this Court should take a different approach and calculate
 8 the removal period differently where, as here, an immigrant is released and then re-
 9 arrested.²⁰ Pursuant to Respondents' argument, the government would get a new
 10 six-month period of detention each time a petitioner is re-arrested. But this
 11 proposed alternative calculation contradicts the statute, *Zadvydas*, and decisions of
 12 numerous district courts. The presumptively reasonable period of detention
 13 contemplated in *Zadvydas* expires six months after the issuance of the final order of
 14 removal; courts broadly agree that it "does not stop and re-start if the individual is
 15 released and later re-detained." *Baythavong v. Noem*, No. 3:26-cv-01138-DMS-MSB,
 16 ECF No. 7 at 2–3 (S.D. Cal. Apr. 6, 2026) (collecting cases).²¹ The Respondents'
 17 reading would create an obvious end run around *Zadvydas*, because ICE could
 18 detain an immigrant indefinitely by releasing and quickly rearresting them every
 19 six months.

21 ¹⁸ ECF No. 8-2 at 14; see ECF No. 18.

22 ¹⁹ Even if this Court assumes the order of removal became final 30 days after
 23 it was entered—*i.e.*, on March 10, 2021—the latest that the presumptively
 24 reasonable six months would have expired is September 10, 2021.

25 ²⁰ See ECF No. 18 at 10.

26 ²¹ See also *Nguyen v. Scott*, 796 F. Supp. 3d 703, 721–22 (W.D. Wash. 2025);
 27 *Diaz-Ortega v. Lund*, No. 1:19-cv-670-P, 2019 WL 6003485, at *7 n.6 (W.D. La. Oct.
 15, 2019), *report and recommendation adopted*, 2019 WL 6037220 (W.D. La. Nov.
 13, 2019); *Sied v. Nielsen*, No. 17-CV-06785-LB, 2018 WL 1876907, at *6 (N.D. Cal.
 Apr. 19, 2018) (collecting cases).

1 “Pursuant to the statute, the removal period, and in turn the [six-month]
2 presumptively reasonable period,” begins “from the latest of” three dates. *Bailey v.*
3 *Lynch*, No. CV 16-2600 (JLL), 2016 WL 5791407, at *2 (D.N.J. Oct. 3, 2016)
4 (internal quotation marks omitted). Specifically, it begins from (1) “[t]he date the
5 order of removal becomes administratively final,” (2) “[i]f the removal order is
6 judicially reviewed and if a court orders a stay of the removal of the alien, the date
7 of the court’s final order,” or (3) “[i]f the alien is detained or confined (except under
8 an immigration process), the date the alien is released from detention or
9 confinement.” 8 U.S.C. §1231(a)(1)(B). None of these statutory starting points have
10 anything to do with whether or when an immigrant is detained by ICE. Because the
11 statutorily defined removal period has nothing to do with release and rearrest,
12 releasing and rearresting the immigrant cannot reset the removal period.

13 Courts in this district disagree with Respondents’ interpretation as well. In
14 *Tanahan*, Respondents’ argument that the six-month period restarts for every new
15 detention failed for two reasons applicable to Mr. Hassan’s case. *Tanahan v. United*
16 *States*, Case No. 2:25-cv-02075-RFB-BNW, 2026 WL 161761, at *4 n. 3 (D. Nev. Jan.
17 21, 2026). First, “a non-citizen’s presumptively reasonable period of detention is tied
18 to their removal order, and it lapses six months after this order becomes final.” *Id.*
19 (citing *Kim Ho Ma*, 257 F.3d at 1102 n.5). Second, “non-citizens are not subject to a
20 new presumptively reasonable period of detention *every time* they are re-detained.
21 The INA does not authorize indefinite detention. That principle is the central thrust
22 of the Supreme Court’s decision in *Zadvydas*.” *Id.* If an individual were subject to a
23 new presumptively reasonable period of detention every time they were detained,
24 the government could circumvent the INA and *Zadvydas* by releasing and re-
25 detaining “such that they never reach six months of continuous detention. That
26 would amount to indefinite detention in all but name, which is statutorily and
27 constitutionally impermissible.” *Id.* (quoting *Shadalo v. Mattos*, No. 2:25-cv-02076-

1 RFB-BNW, 2025 WL 3568234, at *6 (D. Nev. Dec. 14, 2025)). As applied here, the
2 presumptively reasonable six months for detaining Mr. Hassan expired over four
3 years ago.

4 Respondents seem to imply that the six-month period restarted because Mr.
5 Hassan was arrested in January 2026 for an alleged criminal violation.²²
6 Respondents cite no authority for the proposition that because a petitioner allegedly
7 committed a crime, that this circumstance now gives ICE the right to re-start the
8 six-month presumptively reasonable period. Mr. Hassan's criminal history does not
9 change the question in this case. There is no exception to the due process right to be
10 free from indefinite immigration detention based upon having a criminal history.

11 Indeed, each of the petitioners in *Zadvydas* had a long criminal history. *See*
12 *Zadvydas*, 533 U.S. at 684–86. But that history was simply not relevant to whether
13 there was a due process violation. Instead, the relevant question is whether removal
14 is reasonably foreseeable. *See id.* at 700–02. *Zadvydas* implied a criminal history
15 could be relevant, but only when there is no due process violation. *See id.* at 700
16 (“And if removal is reasonably foreseeable, the habeas court should consider the risk
17 of the alien’s committing further crimes as a factor potentially justifying
18 confinement within that reasonable removal period.”); *see also Munoz-Saucedo v.*
19 *Pittman*, 789 F. Supp. 3d 387, 400 (D.N.J. 2025) (explaining “nothing supports the
20 argument that danger to the community is a relevant factor to consider in
21 conducting a *Zadvydas* analysis”). As discussed below, Respondents have not shown
22 reasonable foreseeability, so prior criminal history has no bearing on the due
23 process violation. Criminal history “is irrelevant to the Court’s inquiry—which
24 focuses squarely on the likelihood of Petitioner’s removal in the reasonably
25 foreseeable future.” *Tanahan*, 2026 WL 161761 at *2 n.1.

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27 ²² *See* ECF No. 18 at 10.

1 **3. Alternatively, the six-month period of presumptive**
 2 **reasonableness has passed when considering Mr.**
 3 **Hassan’s cumulative time spent detained after his**
 4 **removal order became administratively final.**

5 “[C]ourts to have considered the issue within the Ninth Circuit have found
 6 that the period of post-final removal order detention is cumulative.” *Nguyen v.*
 7 *Warden*, No. 1:25-CV-1708 AC P, 2026 WL 292874, at *2 (E.D. Cal. Feb. 4, 2026)
 8 (collecting cases). This Court recently took this approach in *Siddiqi v. Bondi*. See
 9 Order Granting Motion for Preliminary Injunction and Directing Immediate
 10 Release of Detainee, *Siddiqi v. Bondi*, Case No. 2:25-cv-02614-JAD-BNW, ECF No.
 11 20, at 8–9 (D. Nev. Feb. 25, 2026). There, this Court found the petitioner was
 12 “detained in the aggregate for longer than six months based on his 2006 detention
 13 and his recent re-detention, taking this case out of the presumptively reasonable
 14 period of detention established by *Zadvydas*.” *Id.* Here too, Mr. Hassan has
 15 cumulatively been detained for more than six months.

16 Respondents do not contest that Mr. Hassan was previously detained for the
 17 mandatory 90-day period starting in February 2021, before being released in June
 18 2021.²³ Mr. Hassan was thus detained for approximately four months post-removal
 19 order in 2021. And as of April 20, 2026, he will have been detained for over three
 20 months in his present detention, which began on January 19, 2026.²⁴ In other
 21 words, as of April 20, 2026, Mr. Hassan will have cumulatively been detained for
 22 over six months since his removal order became final, and the six-month period of
 23 presumptive reasonableness will have passed.²⁵

24 ²³ ECF No. 18 at 10 (citing ECF No. 8 at 4).

25 ²⁴ ECF No. 18 at 2.

26 ²⁵ Even if this Court considers solely the 90 days of detention that
 27 Respondents concede occurred in 2021 (rather than the four months that Mr.
 Hassan contends he was in custody in 2021), as of April 20, 2026, there can be no

1 After six months, once there is “good reason to believe that there is no
2 significant likelihood of removal in the reasonably foreseeable future,” the burden
3 shifts to the government to justify continued detention. *Zadvydas*, 533 U.S. at 701.
4 Respondents offer no such justifications.

5 **B. Mr. Hassan must be released immediately because his removal**
6 **is not reasonably foreseeable.**

7 Mr. Hassan’s continued detention is unreasonable, and his removal is not
8 reasonably foreseeable. As explained above, Mr. Hassan has cumulatively been
9 detained for over six months since his removal order became final, rendering his
10 detention no longer presumptively reasonable.

11 Mr. Hassan cannot be removed to Sudan because he was granted CAT
12 relief.²⁶ He was originally ordered removed to Sudan on February 8, 2021, over five
13 years ago. Respondents have been unable to remove him to any other country, nor
14 do they represent even initial efforts at effectuating his removal.²⁷ Throughout his
15 prolonged detention, he has not been given any indication that preparations have
16 been made to deport him. Respondents do not argue that Mr. Hassan’s removal is
17 reasonably foreseeable, and they provide no evidence to support such an argument.

18 At bottom, the question for this Court is whether Mr. Hassan’s removal is
19 reasonably foreseeable. The history of his case and the dearth of evidence provided
20 by Respondents compels the conclusion that it is not.

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22
23
24
25 dispute that Mr. Hassan has been in custody for cumulatively more than six
26 months.

27 ²⁶ ECF No. 8-2 at 14.

²⁷ See ECF No. 18.

1 **III. Respondents' failure to respond to many of the arguments in Mr.**
 2 **Hassan's amended petition is a concession on these issues.**

3 **A. ICE's failure to comply with its own regulations concerning the**
 4 **re-detention of individuals on orders of supervision is unlawful**
 5 **(Ground Three).**

6 In the amended petition, Mr. Hassan asserted that ICE violated its
 7 regulations when it revoked his order of supervision.²⁸ Respondents merely state
 8 that Mr. Hassan was released in 2021 "after ninety days of mandatory detention,"
 9 without contending with Mr. Hassan's claim that his *re-detention* was in violation of
 10 ICE's own regulations.²⁹

11 As Mr. Hassan explained in the amended petition, no matter the reason for
 12 re-detention, the re-detained person is entitled to "an initial informal interview
 13 promptly," during which they "will be notified of the reasons for revocation." 8
 14 C.F.R. §§ 241.4(l)(1), 241.13(i)(3). The interviewer must "afford the [person] an
 15 opportunity to respond to the reasons for revocation." *Id.* The person may also
 16 "submit any evidence or information" relevant to re-detention and evaluating "any
 17 contested facts." *Id.* § 241.13(i)(3). Here, it is unclear exactly why Mr. Hassan's
 18 supervision was revoked. He was taken into custody following a misdemeanor
 19 trespass offense for riding a train without a ticket,³⁰ but—in violation of ICE
 20 regulations—he received no interview explaining the basis for his re-detention and
 21 had no opportunity to respond.

22 Respondents ignore both that argument and the argument that there are no
 23 changed circumstances making Mr. Hassan's removal foreseeable.³¹ Respondents'
 24 failure to address these arguments "is tantamount to a concession." *See, e.g., Blake*

25 ²⁸ ECF No. 8 at 19–21.

26 ²⁹ ECF No. 18 at 10.

27 ³⁰ ECF No. 18 at 2; ECF No. 18-2 at 3.

³¹ ECF No. 18 at 10.

1 *v. Canoo Inc.*, 807 F. Supp. 3d 1061, 1082 (C.D. Cal. Oct. 22, 2025) (collecting cases).
2 And Respondents have waived the ability to argue to the contrary at a hearing. *See*,
3 *e.g., Doe (S.A.S.) v. Hilton Domestic Operating Co. Inc.*, 795 F. Supp. 3d 1294, 1307
4 (W.D. Wash. Aug. 11, 2025) (“Arguments raised for the first time at oral argument
5 are generally considered waived.”). Thus, Mr. Hassan’s release, subject to the same
6 order of supervision that last governed his release, is warranted on this uncontested
7 ground alone.³²

8 **B. ICE’s third country removal practices are unlawful (Grounds**
9 **Four and Five).**

10 Mr. Hassan argued that ICE’s policy to remove noncitizens to a third country
11 with no notice or opportunity to seek fear-based protection violates the Due Process
12 Clause and constitutes arbitrary and capricious agency action in violation of the
13 Administrative Procedure Act (Ground Four).³³ He also asserted that to the extent
14 that his continued detention is meant to facilitate his removal to a third country,
15 ICE’s procedure for third country removal is arbitrary and capricious and does not
16 comply with due process (Ground Five).³⁴ Respondents simply argue that Mr.
17 Hassan has not been deprived due process.³⁵ Respondents do not address Mr.
18 Hassan’s evidence that they have adopted a policy that specifically deprives him of
19 meaningful notice and an opportunity to present a fear-based claim to an
20 immigration judge prior to his deportation to a third country.³⁶ Accordingly,
21 Respondents’ failure to address these arguments amounts to a concession, and to
22

23 ³² *See* ECF No. 8 at 19–21.

24 ³³ ECF No. 8 at 21–23.

25 ³⁴ ECF No. 8 at 23.

26 ³⁵ ECF No. 18 at 11.

27 ³⁶ ECF No. 8 at 22 (citing ECF No. 8-4 and 8-5).

1 waiving the opportunity to argue otherwise at a hearing. *See Blake*, 807 F. Supp. 3d
2 at 1082; *Doe (S.A.S.)*, 795 F. Supp. 3d at 1307.

3 In sum, this Court should grant relief on each of these claims because they
4 are meritorious, as explained at length in the amended petition, and Respondents
5 have not provided any legal grounds that would support denying them.

6 **CONCLUSION**

7 Mr. Hassan's continuing detention violates due process. This Court should
8 grant the petition, order his immediate release from custody, and prohibit
9 Respondents from removing Mr. Hassan to any third country absent meaningful
10 notice and an opportunity to seek fear-based protection consistent with due process.
11 Finally, this Court should enjoin Respondents from re-detaining Mr. Hassan absent
12 changed circumstances regarding the likelihood of removal.

13 Dated April 17, 2026.

14 Respectfully submitted,

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16 Rene L. Valladares
17 Federal Public Defender

18 /s/ Kelly Recker

19 Kelly Recker
20 Assistant Federal Public Defender
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