

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

DAWIT ABRAHAM MEKONNEN,

Case No. 1:26-cv-00122-AGF

Petitioner,

v.

GARY STOLZER, Warden of Ste. Genevieve County Jail,
Respondent.

**PETITIONER'S REPLY IN SUPPORT OF
PETITION FOR WRIT OF HABEAS CORPUS
28 U.S.C. § 2241**

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I. INTRODUCTION

The Government's Response rests on a single premise: that Petitioner's pending VAWA self-petition is legally irrelevant to his detention. The Government argue that VAWA self-petitioners are no different from any other person who entered without inspection. Gov't Br. at 12-15.

Twenty-three days before the Government filed its Response, a federal court rejected that premise. On May 20, 2026, the United States District Court for the Central District of California certified nationwide classes of immigrant survivors with pending VAWA, U visa, and T visa petitions and preliminarily enjoined the Executive Branch from enforcing the January 2025 ICE policy authorizing routine detention of those survivors based on enforcement actions targeting their pending petitions. *Immigration Center for Women and Children v. Noem*, No. 2:25-cv-09848-AB-AS (C.D. Cal. May 20, 2026) (Birotte, J.). The Government's Response does not mention this injunction.

One more thing about the Response deserves notice at the outset. The Government does not dispute the abuse. It does not argue that the VAWA petition is frivolous. It does not contest a single factual allegation about what Petitioner's wife did to him. Its sixteen pages contain statutes, appellate citations, and categorical theory, but not one sentence of evidence about Dawit Abraham Mekonnen himself: no evidence that he is dangerous, no evidence that he is a flight risk, and no explanation of why supervision, reporting, or electronic monitoring would not suffice. The Government asks this Court to keep a man in a cell on labels alone.

Petitioner is a survivor of domestic abuse by a United States citizen spouse who used the immigration system as her primary weapon of control. He has no criminal record. He told the truth at a traffic stop. He has a two-year-old United States citizen daughter who has been cut off from her father. Congress built a specific remedy for him. It is pending. The Petition should be granted.

II. THE NATIONWIDE INJUNCTION IN ICWC v. NOEM PROHIBITS THE DETENTION THE GOVERNMENT DEFENDS

1. On May 20, 2026, Judge Andre Birotte Jr. of the Central District of California granted class certification and a preliminary injunction in *Immigration Center for Women and Children v. Noem*, No. 2:25-cv-09848-AB-AS (C.D. Cal. May 20, 2026). The court certified

nationwide classes of noncitizens with pending VAWA self-petitions, U visa petitions, and T visa petitions, and preliminarily enjoined the Executive Branch from enforcing ICE Policy No. 11005.4, the January 30, 2025 guidance that rescinded longstanding victim-centered enforcement protections and authorized routine civil arrest, detention, and removal of survivors with pending humanitarian petitions.

2. Petitioner is within the protected class. He has a pending I-360 VAWA self-petition, Receipt No. [REDACTED], received by USCIS on May 12, 2026. He is detained by ICE. The enforcement posture the Government defends in its Response, treating a pending VAWA petition as legally irrelevant and detaining the petitioner as an ordinary illegal entrant, is the same posture the ICWC court preliminarily enjoined.
3. Petitioner acknowledges that the ICWC injunction is a preliminary order of a coordinate district court, that it does not bind this Court as precedent, and that the Government may appeal it. But the injunction binds the Executive Branch, and it represents the considered judgment of a federal court, after full briefing and oral argument, that the Government's treatment of pending VAWA petitioners as indistinguishable from other detainees is likely unlawful. The Response brief, filed twenty-three days after the injunction issued, offers this Court no explanation of how Petitioner's continued detention is consistent with it. At minimum, the injunction confirms that the question at the heart of this case, whether a pending VAWA petition changes the detention analysis, is a serious and open one that the Government cannot answer by citation to cases that never considered it.

III. ARGUMENT

The Government frames the dispute as four issues: whether mandatory detention under 8 U.S.C. § 1225(b)(2)(A) applies; whether substantive due process bears on the case; whether procedural due process bears on the case; and whether Petitioner's VAWA self-petitioner status alters the outcome. Gov't Br. at 5. Petitioner answers each in turn.

Issue 1: Whether the mandatory detention scheme of 8 U.S.C. § 1225(b)(2)(A) applies to Petitioner.

The Government's position.

The Government argues that because Petitioner entered without inspection, he is an applicant for admission who is seeking admission, and that he therefore falls within the mandatory, no-bond detention scheme of § 1225(b)(2)(A) under *Herrera Avila v. Bondi*, 170 F.4th 1128 (8th Cir. 2026).

Petitioner's answer.

Section 1225(b)(2)(A) does not reach Petitioner, for three reasons.

First, *Avila* does not decide this case. *Avila* held that an ordinary noncitizen who entered without inspection and has no pending path to status remains an applicant for admission subject to mandatory detention. The petitioner in *Avila* had no pending relief before any agency. Petitioner here has a pending VAWA self-petition, and *Avila* never considered whether a pending I-360 changes the analysis. Nor did *Avila* address § 1255(a), § 1367, or any VAWA-specific provision. A holding that did not address VAWA self-petitioners cannot foreclose the question this case presents.

The Government's own brief confirms that *Avila* did not involve a VAWA self-petitioner, § 1367 confidentiality protections, a pending I-360 petition, or the statutory framework Congress enacted for survivors of domestic violence. The question presented here is therefore narrower and different: whether Congress intended a survivor actively pursuing a congressionally authorized VAWA remedy to be treated identically to an ordinary applicant for admission who has no pending humanitarian relief. *Avila* did not address that question.

Second, Congress placed VAWA self-petitioners in the adjustment statute, not the admission statute. Under 8 U.S.C. § 1255(a), a VAWA self-petitioner adjusts status to lawful permanent residence from inside the United States, without departing and without presenting for admission at a port of entry. The admission framework of § 1225 governs people seeking to enter. The adjustment framework of § 1255(a) governs people, already here, who are fixing their status. Petitioner is on the adjustment track Congress built for survivors. He is not seeking admission in the sense § 1225(b)(2)(A) requires.

Third, the Board of Immigration Appeals has already rejected the Government's central inference. The Government reasons that because § 1225(a)(1) deems Petitioner an applicant for admission, he is necessarily seeking admission. But in *Matter of Y-N-P-*, 26 I&N Dec. 10, 13 (BIA 2012), the Board held that being an applicant for admission under § 1225(a)(1) is distinguishable from applying for admission, and that the label, despite the person's actual presence in the country without admission or parole, merely entitles the person to a removal hearing. The deeming provision is a doorway to a hearing, not proof that the person is asking to come in. Reading "deemed an applicant for admission" to mean "seeking admission" erases the word "seeking" from the statute, leaving it without independent effect. That reading cannot stand, because the Supreme Court instructs that courts must give effect to every word Congress enacted and avoid constructions that render statutory language superfluous. *TRW Inc. v. Andrews*, 534 U.S. 19, 31 (2001).

The Government's interpretation would permit indefinite detention of VAWA self-petitioners with bona fide claims, solely because their petitions remain pending. Congress did not intend such a result when it created the VAWA self-petitioning process.

Avila did not decide the VAWA question, § 1255(a) places Petitioner on the adjustment track rather than the admission track, and the Board's own precedent confirms that being labeled an applicant for admission is not the same as seeking admission. Section 1225(b)(2)(A) does not mandate Petitioner's detention.

Issue 2: Whether the Fifth Amendment's substantive Due Process Clause has any bearing on this case.

The Government's position.

The Government argues that there is no substantive due process interest at stake. It relies on *Dep't of State v. Munoz*, 602 U.S. 899 (2024), for the proposition that the Constitution recognizes no fundamental right to family unity in the immigration context, and it argues that Petitioner's relationship with his daughter cannot support a substantive due process claim.

Petitioner's answer.

Munoz does not govern this case, for three reasons.

First, Munoz decided a spousal claim, not a parental one. The plaintiff in Munoz was a United States citizen asserting an interest in having her noncitizen husband admitted to the country. The Supreme Court held that a citizen has no fundamental liberty interest in the admission of a noncitizen spouse. The claim rose and fell on the right of marriage. Munoz did not address the parental relationship, did not cite the parental-rights cases, and did not purport to limit them. A decision about a spouse's interest in a visa does not control a child's interest in her father.

Second, the claim here belongs to a United States citizen child, and it is grounded in the oldest line of substantive due process precedent the Supreme Court recognizes. Naomi Dawit Mckonnen is a United States citizen, born February 25, 2023. Her interest in the care, custody, and companionship of her father is a fundamental liberty interest. *Troxel v. Granville*, 530 U.S. 57, 65 (2000). The severance of the parent-child relationship triggers the highest level of constitutional protection. *Santosky v. Kramer*, 455 U.S. 745 (1982). These cases predate Munoz, survive Munoz, and address a relationship Munoz never touched.

Third, the Government's manner-of-entry argument proves too much. The Government suggests that because Petitioner entered without inspection before his daughter was born, he forfeits any constitutional protection arising from their relationship. That reasoning would strip every United States citizen child of constitutional standing whenever a parent entered unlawfully, no matter the child's citizenship and no matter the severity of the separation. The Due Process Clause protects persons, and Naomi is a person. Her right to her father does not turn on how he crossed a border before she existed. *Ms. L v. ICE*, 310 F. Supp. 3d 1133 (S.D. Cal. 2018) (separation of a parent from a child without an individualized finding of unfitness raises serious due process concerns).

Munoz resolved a citizen spouse's interest in a noncitizen's visa and says nothing about a citizen child's interest in her father. That parental interest is protected by *Troxel* and *Santosky*, and it is being extinguished here without any individualized finding that Petitioner is dangerous or unfit. The substantive Due Process Clause bears directly on this case. And even if the Court does not reach the substantive question, the procedural guarantee addressed in Issue 3 independently requires relief.

Issue 3: Whether the Fifth Amendment's procedural Due Process Clause requires an individualized hearing before Petitioner may be detained.

The Government's position.

The Government argues that procedural due process requires no bond hearing here. It relies on *Banyee v. Garland*, 115 F.4th 928 (8th Cir. 2024), for the proposition that detention during removal proceedings is constitutionally permissible so long as removal remains a possibility, and that the individualized balancing of *Mathews v. Eldridge*, 424 U.S. 319 (1976), has no role to play. It points to *Lugo-Solet v. Mullin*, 2026 WL 1162233 (E.D. Mo. Apr. 29, 2026), as a decision applying *Banyee* to deny relief in a § 1225 case.

Petitioner's answer.

Banyee does not foreclose procedural due process here, for four reasons.

First, *Banyee* involved a different detainee under a different statute. Nyynkpao *Banyee* was a lawful permanent resident detained under 8 U.S.C. § 1226(c), the mandatory detention provision for criminal aliens, following a robbery conviction. 115 F.4th at 930. Petitioner is not a lawful permanent resident, has no criminal record of any kind, and is held under § 1225(b)(2). The constitutional analysis in *Banyee* was tethered to the criminal-alien context of § 1226(c) and to *Demore v. Kim*, 538 U.S. 510 (2003), which also involved a criminal alien. No Eighth Circuit decision applies *Banyee*'s framework to a § 1225(b)(2) detainee who has no criminal history, a pending VAWA self-petition, and a United States citizen child.

Second, the only decision extending *Banyee* to § 1225 detainees is on appeal and unsettled. The Government's lead authority, *Lugo-Solet*, is presently on appeal to the Eighth Circuit, as the Government's own brief acknowledges. Gov't Br. at 8 n.8. The question whether *Banyee* governs § 1225 detainees has not been answered by the Eighth Circuit. This Court writes on an open question, not a closed one.

Third, *Banyee*'s premise fails on these facts, because there is no definite endpoint. *Banyee* permitted detention because removal proceedings have a definite termination point, deporting or releasing the noncitizen, which distinguishes them from potentially permanent confinement. 115 F.4th at 932. *Lugo-Solet* rested on exactly that reasoning: the petitioner there was in active removal proceedings that would also resolve his asylum claim, supplying the endpoint. 2026 WL 1162233, at *2-3. Petitioner's situation is different in kind. His path to lawful status does not run through his

removal proceedings. It runs through USCIS, a separate agency adjudicating his I-360 on a timeline measured in years, entirely outside the immigration court. Current USCIS data shows that eighty percent of I-360 VAWA self-petitions take approximately four years to adjudicate, with no premium processing available, and the immigration court has no authority to grant or accelerate the petition. **See Ex. A (USCIS Processing Times for Form I-360 VAWA Self-Petitions).** The removal proceedings cannot supply the endpoint, because they cannot resolve the matter that determines whether Petitioner stays. Detention tethered to a years-long adjudication that no court before him controls is precisely the potentially indefinite confinement *Banyee* distinguished, not the finite detention it approved.

This distinction is critical. In *Banyee* and *Lugo-Solet*, the same proceeding that justified detention was expected to determine the petitioner's removability. Here, the proceeding that will ultimately determine whether Petitioner may remain in the United States is a separate USCIS adjudication over which neither the immigration judge nor this Court has any control. The Government therefore cannot rely on the ordinary conclusion of removal proceedings as the relevant endpoint because those proceedings do not resolve the issue that determines Petitioner's future status.

Fourth, the Government conceded the constitutional line in related habeas litigation in this District. In *Lugo-Solet*, the Government estimated that removal proceedings generally take about three months and conceded that there is a temporal line beyond which continued detention could violate due process. 2026 WL 1162233, at *3 n.4. The court accepted that concession, noting the petitioner could return with a new petition if his detention crossed the line. No three-month estimate can describe Petitioner's case. Detention for the multi-year pendency of a USCIS adjudication is not the brief, finite confinement the Government described, and by the Government's own framework it crosses the line the Government admits exists.

The Government's reliance on the bright-line rule is misplaced for a further reason. The Government offers no individualized justification for this detention. Its response contains statutes, appellate citations, and categorical theory, but not one fact about Dawit Abraham Mekonnen: no evidence that he is a danger, no evidence that he is a flight risk, no explanation of why supervision, reporting, or electronic monitoring would not suffice. Liberty is the norm and detention the exception, and where the Government seeks to hold a man with no criminal record for years, on no individualized showing of any kind, the Due Process Clause requires at minimum an

individualized hearing at which the Government bears the burden. *Singh v. Holder*, 638 F.3d 1196, 1200-01 (9th Cir. 2011).

Banyee addressed a criminal alien under a different statute on a finite removal track. Its extension to § 1225 detainees is on appeal. Its endpoint premise collapses where, as here, the relief that determines Petitioner's fate sits with a separate agency on a multi-year timeline the immigration court cannot touch. And the Government has conceded that a temporal line exists while offering no individualized reason to detain this Petitioner at all. Procedural due process requires an individualized hearing.

Issue 4: Whether Petitioner's status as a VAWA self-petitioner alters the outcome.

The Government's position.

The Government argues that the pending VAWA self-petition changes nothing. It contends that merely filing the I-360 does not trigger the inadmissibility exception in 8 U.S.C. § 1182(a)(6)(A)(ii), which requires three elements; that until the petition is approved, Petitioner remains an illegal entrant subject to mandatory detention under both § 1225(b)(2)(A) and § 1226(c)(1)(E)(i); and that because § 1255(a) permits adjustment only with an approved petition, the very act of filing the I-360 shows Petitioner is still seeking admission.

Petitioner's answer.

Petitioner's VAWA status is decisive, not irrelevant, for four reasons.

First, a federal court has enjoined the exact treatment the Government defends. As set forth above, the ICWC injunction of May 20, 2026, preliminarily bars the Executive Branch from detaining pending VAWA self-petitioners on the theory that their petitions are legally irrelevant. The Government's argument here, that VAWA status changes nothing, is the precise position a federal court has held is likely unlawful. The Government's Response, filed twenty-three days later, never addresses it. Should the Government obtain a stay of the ICWC injunction pending appeal, Petitioner will address that development at that time. But this Court decides the case based on the law as it exists today, and today, the injunction remains in effect.

Second, the Government's § 1182(a)(6)(A)(ii) argument is beside the point and internally inconsistent. The Government insists Petitioner cannot satisfy the three-element inadmissibility

exception, in particular the substantial-connection element, because the abuse arose after his entry. That is correct, and irrelevant. Petitioner does not rely on the § 1182(a)(6)(A)(ii) exception. His pathway to lawful status runs through § 1255(a), the adjustment statute, which authorizes adjustment for an alien with an approved VAWA self-petition without requiring the § 1182(a)(6)(A)(ii) elements. The Government cannot invoke the inadmissibility framework to detain him while denying him the very exception that framework contains, using the same provision as both sword and shield.

Third, filing the I-360 is not the act of seeking admission. The Government argues that because § 1255(a) requires an approved petition, Petitioner is, until approval, a hopeful applicant seeking admission through the filing itself. That does not follow. The approval requirement in § 1255(a) marks when Petitioner receives the benefit of lawful permanent residence; it says nothing about whether he is seeking admission while he waits. A person in line for adjustment under § 1255(a) is on the adjustment track Congress created, not standing at a port of entry asking to be let in. The Board's holding in *Matter of Y-N-P-*, that being deemed an applicant for admission is not the same as seeking admission, applies with particular force here. Filing an I-360 is an act of adjustment, not an act of presenting at a port of entry. The Government's reading would mean that the very act Congress designed to free a survivor from the abuser, filing the self-petition, is the act that condemns him to mandatory detention. Congress did not build a remedy that operates against the people it was meant to protect.

The Government cites no authority holding that the filing of a VAWA self-petition itself constitutes "seeking admission" within the meaning of § 1225(b)(2)(A). Congress did not place VAWA self-petitioners in the admission provisions of the INA. Rather, Congress created a separate humanitarian self-petitioning process allowing abused spouses already present in the United States to seek lawful status independent of the abusive spouse. See 8 U.S.C. § 1154(a)(1)(A)(iii). The filing of an I-360 is therefore not an application to enter the United States; it is an application to obtain lawful status from within the United States. The Government's theory collapses the distinction between admission and adjustment and would convert every VAWA self-petitioner into a person perpetually "seeking admission" solely because Congress provided a statutory path to lawful status. Nothing in the text of § 1225(b)(2)(A) compels that result.

Fourth, the criminal-alien label the Government invokes is empty. The Government leans on the Laken Riley Act, § 1226(c)(1)(E)(i), to claim Petitioner is a criminal alien subject to mandatory detention. Section 1226(c) is the mandatory detention provision for criminal aliens, and Congress enumerated its qualifying categories with care. Dawit Abraham Mekonnen has never been arrested, never been charged, and never been convicted of anything. The Government's theory converts every person who entered without inspection into a criminal alien by labeling, regardless of the absence of any criminal conduct, a result Congress did not intend when it enacted § 1226(c).

Petitioner's VAWA status is not a technicality that yields once the Government recites § 1225. Congress created the self-petition precisely to remove the abuser's control over a survivor's immigration fate. See 8 U.S.C. § 1154(a)(1)(A)(iii). Petitioner's wife filed the I-130, controlled it, threatened to withdraw it, and has since refused to cooperate in the process. Detaining him while the petition Congress built for him sits pending hands the abuser, through the machinery of detention, the very control Congress acted to end.

Petitioner's VAWA status is the heart of the case, not a side issue. A federal court has enjoined the treatment the Government defends. The § 1182(a)(6)(A)(ii) argument is both beside the point and self-contradictory. Filing the I-360 is an act of adjustment, not admission. And the criminal-alien label fits a man with no criminal record only through statutory sleight of hand. VAWA status changes the outcome.

Beyond the four issues the Government frames, two further grounds independently support relief. The first concerns the Government's use of information protected by 8 U.S.C. § 1367. The second concerns the limits the Due Process Clause places on detention under Zadvydas v. Davis. Petitioner addresses each in turn.

IV. ADDITIONAL GROUND ONE: SECTION 1367 BARS THE GOVERNMENT'S USE OF ABUSER-DERIVED INFORMATION

The Government's own Response acknowledges, at length, that 8 U.S.C. § 1367 imposes strict confidentiality obligations in cases involving VAWA self-petitioners. Gov't Br. at 2 n.2. But Section 1367 does more than require sealing. Section 1367(a)(1) prohibits adverse determinations of admissibility or deportability made using information furnished solely by the abuser. The record in this case includes documented repeated threats by the abusive spouse to report Petitioner to immigration authorities. To the extent the Government's enforcement action against Petitioner derives from information furnished by or traceable to her, the statute forbids its use. The Fifth Circuit has emphasized the breadth of these protections and the congressional judgment behind them. Petitioner is entitled to know, and this Court should require the Government to state whether any information furnished by Feven Tekeste Matewos contributed to his arrest, detention, or the position taken in these proceedings.

V. ADDITIONAL GROUND TWO: DETENTION IS INDEPENDENTLY UNLAWFUL UNDER ZADVYDAS

Petitioner has not one but two petitions pending at USCIS: the I-130 filed by his spouse, Receipt No. [REDACTED], which remains pending despite her refusal to cooperate, and his own I-360 VAWA self-petition, Receipt No. [REDACTED]. Either petition, if approved, makes removal legally unnecessary. The government cannot claim removal is the foreseeable outcome when two independent USCIS proceedings, both entirely outside the immigration court's control, stand between Petitioner and any removal order.

Zadvydas v. Davis, 533 U.S. 678 (2001), holds that civil immigration detention must bear a reasonable relationship to its purpose, and that detention becomes constitutionally suspect when removal is not reasonably foreseeable. Petitioner does not ask this Court to predict the outcome of his I-360. He asks the Court to recognize what the Government's own brief concedes: that Congress created a statutory mechanism, Section 1255(a), under which approval of the pending petition makes removal legally unnecessary. USCIS adjudication of I-360 petitions takes years; current data shows approximately four years for 80 percent of petitions. See Ex. A. Detaining a man with no criminal record for the entire pendency of a petition that Congress designed to let him remain, without any individualized assessment of danger or flight risk, is detention unmoored from any

legitimate purpose. It does not advance removal, which the statute may foreclose. It does not protect the public, because no evidence of danger exists.

VI. CONCLUSION AND RELIEF REQUESTED

The Government's Response asks this Court to treat the pending VAWA self-petition as legal surplusage. A federal court has preliminarily enjoined that exact treatment nationwide. The Board's own precedent distinguishes being deemed an applicant for admission from seeking admission. Banyee's extension to this context is unresolved and pending before the Eighth Circuit. Munoz does not touch the parental claim of a citizen child. Section 1367 forbids the use of abuser-furnished information. And the Government's reading of Section 1182(a)(6)(A)(ii) contradicts its own brief.

Every statute the Government cites speaks to one situation: a person standing at the door, asking to come in. Every statute Petitioner relies on speaks to a different one: a survivor who is already here, and for whom Congress built a path to stay. These two sets of laws answer different questions. The Government has spent sixteen pages answering the wrong one.

Consider what the Government's rule would teach. A survivor escapes an abusive marriage. He files the petition Congress wrote for him. He cooperates with every authority and appears at every proceeding. Under the Government's theory, he can be detained indefinitely, without any individualized review, precisely because his petition has not yet been decided. A rule like that does not just fail this Petitioner. It tells every survivor watching that coming forward leads to a cell. Congress enacted VAWA to break the abuser's grip on the immigration system, not to hand that grip to the Government.

Congress legislated against precisely this dynamic. In enacting VAWA, Congress built the self-petition so that an abused spouse could seek lawful status independent of the abuser, rather than remaining dependent on the abuser to file and maintain a petition. See 8 U.S.C. § 1154(a)(1)(A)(iii). Petitioner's wife filed the I-130, controlled it, threatened to withdraw it, and has since refused to cooperate in the process. Detaining him while the very petition Congress created for him sits pending at USCIS restores to the abuser, through the machinery of detention, the same control Congress acted to end.

For the foregoing reasons, and those stated in the Petition, Petitioner respectfully requests that this Court:

- A. Grant the Petition and order Petitioner's immediate release from the Ste. Genevieve County Detention Center pending final adjudication of his VAWA I-360 self-petition;
- B. In the alternative, order an individualized bond hearing before an immigration judge within fourteen days, at which the Government bears the burden of proving by clear and convincing evidence that Petitioner is a danger to the community or a flight risk, *Singh v. Holder*, 638 F.3d 1196, 1200-01 (9th Cir. 2011), and at which the adjudicator shall consider the interests of his United States citizen daughter;
- C. In the further alternative, stay these proceedings or order such relief as preserves the status quo pending resolution of *Immigration Center for Women and Children v. Noem*, No. 2:25-cv-09848-AB-AS (C.D. Cal.), and the appeal in *Lugo-Solet v. Mullin*;
- D. Order Respondent to state whether any information furnished by the abusive spouse contributed to Petitioner's arrest or detention, consistent with 8 U.S.C. § 1367; and
- E. Grant such other relief as the interests of justice and the welfare of Petitioner's United States citizen daughter require.

Respectfully submitted,

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Dated: June 17, 2026

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2026, a true and correct copy of the foregoing was filed with the Court via the CM/ECF system, which will serve all counsel of record, including Shane K. Blank, Assistant United States Attorney, 111 South Tenth Street, Room 20.333, Saint Louis, Missouri 63102.

/s/Abeba Attles
Abeba Attles, Esq.

EXHIBIT LISTS

EXHIBIT A: USCIS Processing Times for Form I-360 VAWA Self-Petitions.

EXHIBIT A

USCIS Processing Times for Form I-360 VAWA Self-Petitions.



U.S. Citizenship
and Immigration
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Case Processing Times

Alert

USCIS processing times for certain form types may no longer reference a specific service center location (for example, Vermont Service Center). We are in the process of adjusting all processing times for service center-related forms to now list "Service Center Operations (SCOPS)." Service Center Operations has expanded its capability to process casework at multiple locations, at various points in time, based on business needs and staffing requirements. Therefore, listing a specific location is no longer an accurate representation of where a case is processed. We are adjusting our case processing time metrics to provide the most accurate and up-to-date information by form type.

While certain form processing times are now listed under Service Center Operations, you may continue to receive correspondence from USCIS listing a specific service center location.

Select your form, form category, and the office that is processing your case

Refer to your receipt notice to find your form, category, and office. For more information about case processing times and reading your receipt notice, visit the [More Information About Case Processing Times](#) page.

Please complete all of the required fields marked with an * asterisk.

Form *

I-360 | Petition for Amerasian, Widow(er), or Special Immigrant

Form Category *

Violence Against Women Act (VAWA)

Field Office or Service Center *

Service Center Operations (SCOPS)

Get processing time

Processing time for Petition for Amerasian, Widow(er), or Special Immigrant (I-360) at Service Center Operations (SCOPS)

80% of cases are completed within

49.5
Months

[Check your case status](#) to track the status of an immigration application, petition, or request.