

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

KSENIIA PETROVA

No. 1:25-mj-05150-JGD

ASSENTED-TO MOTION TO EXPEDITE TRANSFER AND DETENTION HEARING

Defendant, Kseniia Petrova, with the assent of the government, respectfully requests that the Court direct the United States Marshals Service (“USMS”) to expedite her transfer to this District, now pending for 21 days, and to bring her to the Boston Courthouse immediately upon arrival for her initial appearance and detention hearing in this District. Undersigned counsel are working with U.S. Probation and Pretrial Services to conduct a Pretrial Services interview in advance of her arrival, and the parties expect to reach an agreement on proposed conditions of release.

In further support of this motion, undersigned counsel state:

1. On February 16, 2025, Ms. Petrova was detained at Logan Airport by immigration authorities, and she eventually came to be held in ICE custody at a facility in Louisiana.

2. Nearly 3 months later, on May 14, 2025, Ms. Petrova was taken into USMS custody pursuant to the criminal complaint in the above-captioned criminal case, and at that point, she was moved to a different facility in Louisiana.

3. On May 15, 2025, at her initial appearance pursuant to Fed. R. Crim. P. 5(c)(2) and (3) in the Western District of Louisiana, the government requested that Ms. Petrova be detained. Ms. Petrova consented to removal to Massachusetts and reserved her rights to a

preliminary hearing and detention hearing upon arrival. The Court ordered USMS to remove Ms. Petrova to Massachusetts. *See Exhibit A* (WDLA Order of Commitment to Another District).

4. On May 28, 2025, the United States District Court for the District of Vermont held a bail hearing in a separate habeas case challenging Ms. Petrova's immigration detention. *See Exhibit B* (hearing transcript from *Petrova v. U.S. Department of Homeland Security*, No. 2:25-cv-00540-cr (D. Vt.)). Ms. Petrova attended the hearing by Zoom from Louisiana.¹

5. At the Vermont hearing, among other things, the Court found "by clear and convincing evidence that Ms. Petrova is neither a danger to the safety of the community or a risk of nonappearance that cannot be addressed through appropriate conditions of release" and granted her release from ICE custody. Ex. B at 64.

6. On or about May 30, 2025, pursuant to the Western District of Louisiana's May 15 Order, USMS transported Ms. Petrova from Louisiana to Oklahoma as the first step in her journey to Massachusetts. USMS informed undersigned counsel that Ms. Petrova likely would arrive in Massachusetts on or about June 4, 2025.

7. On June 3, 2025, USMS informed undersigned counsel that Ms. Petrova's transportation to Massachusetts would be delayed by at least another week.

8. "In our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." *United States v. Salerno*, 481 U.S. 739, 755 (1987). Ordinarily, under the Bail Reform Act, 18 U.S.C. § 3142, Ms. Petrova would be entitled to a detention hearing within 5 days of arrest, had she been arrested in this District.

9. It has now been 21 days since Ms. Petrova's arrest and transfer to USMS custody in Louisiana. In light of the delays in her transportation to Massachusetts, and in light of ongoing

¹ Prior to this hearing, USMS in the District of Vermont had advised the judge in that District that Ms. Petrova would likely be on the "airlift to New England" by May 30, 2025.

discussions between the parties that are likely to result in agreement on conditions of release, Ms. Petrova respectfully requests that the Court issue an Order to expedite her transfer to this District and to expedite her detention hearing upon arrival.

Respectfully submitted,

KSENIIA PETROVA

by her attorneys,

/s/ William Fick
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Certificate of Service

I hereby certify that this document and any attachments filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on June 4, 2025.

/s/ William Fick