

1 Enforcement (“ICE”). (*Id.* at 6-7.) On June 23, 2025 Ahmadi appeared at a routine ICE
2 check-in appointment required by his terms of release. (*Id.* at 7.) Ahmadi was arrested
3 and taken into custody by ICE, revoking his Order of Supervision without notice or
4 explanation. (*Id.*) Nearly nine months later, Ahmadi remains detained at Washoe County
5 Jail. (*Id.*)

6 Ahmadi filed this Petition on March 5, 2026 seeking relief, including his immediate
7 release from custody. (*Id.* at 25.) Ahmadi asserts three counts: Prolonged detention in
8 violation of the Due Process Clause under *Zadvydas*, third country removal in violation of
9 the Due Process Clause, and revocation of his Order of Supervision in violation of
10 procedural due process. (*Id.* at 10-24.) The Court grants Ahmadi relief on the First Count
11 as unopposed.

12 **III. DISCUSSION**

13 Habeas corpus “is an attack by a person in custody upon the legality of that
14 custody.” *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973). The Constitution guarantees
15 that a writ of habeas corpus is “available to every individual detained within the United
16 States.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const., Art I, § 9, cl.
17 2). A writ of habeas corpus may be granted to a petitioner who demonstrates they are in
18 custody in violation of the Constitution or federal law. See 28 U.S.C. § 2241(c)(3). The
19 Court’s habeas jurisdiction includes challenges to immigration detention. See *Zadvydas*
20 *v. Davis*, 533 U.S. 678, 687 (2001).

21 Ahmadi argues his continued detention violates the Due Process Clause of the
22 Fifth Amendment. (ECF No. 1 at 10-14.) Individuals with final removal orders are subject
23 to mandatory detention for 90 days. See 8 U.S.C. § 1231(a)(2). While the Attorney
24 General has discretion to detain noncitizens beyond this 90-day period, the Supreme
25 Court found due process imposes an “implicit limitation” on that discretion. See 8 U.S.C.
26 § 1231(a)(6); *Zadvydas*, 533 U.S. at 689. Indefinite detention “would raise a serious
27 constitutional problem” under the Fifth Amendment. *Zadvydas*, 533 U.S. at 690. The
28 Supreme Court reasoned it was “practically necessary to recognize some presumptively

1 reasonable period of detention.” *Id.* at 701. The Supreme Court adopted a six-month
2 period “[f]or the sake of uniform administration in the federal courts” *Id.* After that six-
3 month period, if a detainee “provides good reason to believe that there is no significant
4 likelihood of removal in the reasonably foreseeable future, the Government must respond
5 with evidence sufficient to rebut that showing.” *Id.*

6 Ahmadi was ordered removed in 2017 and has now been in detention for nearly
7 nine months (since June 23, 2025). This is well beyond the presumptively reasonable
8 period of detention. More importantly, Respondents concede to granting the Petition on
9 the ground that there is no significant likelihood of Ahmadi’s removal in the reasonably
10 foreseeable future. (ECF No. 7.) Therefore, the Court finds Ahmadi is entitled to relief
11 under *Zadvydas*.

12 **IV. CONCLUSION**

13 The Court notes that the parties made several arguments and cited to several
14 cases not discussed above. The Court has reviewed these arguments and cases and
15 determines that they do not warrant discussion as they do not affect the outcome of the
16 Petition. Specifically, because the Court grants Petitioner’s requested relief on count one,
17 it does not address the arguments regarding the remaining counts as they would not
18 impact the outcome of the Petition.

19 It is therefore ordered that Ahmadi’s Petition (ECF No. 1) is granted. Respondents
20 must immediately release Ahmadi no later than 5:00 PM on Tuesday, March 17, 2026,
21 subject to reasonable terms of supervision. See 8 U.S.C. §§ 1231(a)(6),
22 (a)(3). Determining reasonable terms of supervision shall not in any way impede the
23 immediate release of Ahmadi.

24 It is further ordered that the parties shall file a joint status report by Wednesday,
25 March 18, 2026 confirming Respondents’ compliance with this Order.

26 The Clerk of Court is kindly directed to serve a courtesy copy of this Order to Sheriff
27 Balaam of at the Washoe County Detention Center as well as the Office of the United
28 States Attorney for the District of Nevada.

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The Clerk of Court is further directed to grant judgement in favor of Petitioner Ahmadi and close the case accordingly.

DATE THIS 16th Day of March, 2026.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE