

FILED

1 John Doe Pro Per
2 Jane Doe Pro Per
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2025 DEC 18 PM 12:35

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 
11 John Doe and Jane Doe,
12 Petitioners/Plaintiffs,

13 v.

14 U.S. Immigration and Customs
15 Enforcement (ICE);
16 Department of Homeland Security
17 (DHS);
18 Kristi Noem, Secretary of DHS;
19 Field Office Director, Enforcement and
20 Removal Operations (ERO), Los Angeles,
21 in their official capacities; and
22 John Doe ICE Officers 1-500, in their
23 individual capacities,

24 Respondents/Defendants.

CASE NO: 2:25CV11962-MWC-ASx

Title: PETITION FOR WRIT OF
MANDAMUS,
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF,
BIVENS ACTION FOR DAMAGES,
AND EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING ORDER
(28 U.S.C. § 1361; 5 U.S.C. §§ 701–706; 42
U.S.C. §§ 1983, 12132; 18 U.S.C. §§ 241–
242; U.S. Const. Amends. I, V, XIV;
Convention Against Torture; Bivens v. Six
Unknown Named Agents, 403 U.S. 388
(1971))

Date:

Time:

Dept:

(OR SOONEST AVAILABLE DATE)

1 **I. INTRODUCTION**

2
3 Petitioners John Doe (pseudonym protected under California Government Code §§ 6205–6211)
4 and Jane Doe (his spouse) respectfully petition this Court for a Writ of Mandamus ordering the
5 Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement
6 (ICE) to terminate unlawful supervision and harassment imposed on them despite a binding
7 judicial grant of withholding of removal under the Convention Against Torture (CAT) in 2011.
8

9 For over fourteen and one-half years, ICE has ignored both the law and the limits of its own
10 authority, subjecting Petitioners to probation-style conditions, intimidation, and coerced
11 appearances that violate federal and international law. ICE’s actions now constitute false
12 imprisonment, extortion, ADA violations, and misuse of public funds—all while the agency
13 publicly complains of “resource shortages.” These actions directly affect Jane Doe and her
14 family, disrupting caregiving and endangering health.

16 The White House has never ordered violence or intimidation against immigrants. Its stated
17 policy, across administrations, is the lawful removal of persons not entitled to stay in the United
18 States—not the terrorizing of individuals already under judicial protection. ICE’s continuing
19 misconduct therefore lies not with the Executive, but with an agency culture of corruption,
20 private-profit collusion, deliberate misinterpretation of law, and the fostering of hate speech and
21 recruitment of individuals with hateful ideologies.

23
24 Petitioners also bring a Bivens action for damages against individual ICE officers for
25 constitutional violations, seek declaratory relief that the supervision is unlawful, and request
26 injunctive relief enjoining further enforcement. Petitioners move for a Temporary Restraining
27
28

1 Order (TRO) to prevent the next check-in, as ICE's failure to respond to two demand letters
2 waives any enforcement interest under estoppel principles. John Doe is disabled under the ADA,
3 married to Jane Doe (disabled, post-37 surgeries) whom he cares for as primary IHSS nurse, and
4 provides care to other disabled relatives—forced check-ins endanger lives, violate rights, and
5 impact the entire family.
6

7 **II. JURISDICTION AND VENUE**
8

9 Jurisdiction lies under 28 U.S.C. § 1361 (mandamus), 28 U.S.C. § 1331 (federal question), 28
10 U.S.C. § 2201 (declaratory relief), and 5 U.S.C. §§ 701–706 (APA). Bivens provides damages
11 for constitutional claims.
12

13 Venue is proper in this District under 28 U.S.C. § 1391(e), as Petitioners reside and report here
14 and the challenged actions occurred here.
15

16 **III. PARTIES**
17

18 • Petitioner John Doe is a resident of California, a recipient of CAT withholding since 2011, a
19 state-approved caregiver to disabled family members including his spouse, and himself disabled
20 under the ADA. He works as an IHSS nurse.
21

22 • Petitioner Jane Doe is the spouse of John Doe, a resident of California, disabled under the ADA
23 (post-36 surgeries), and reliant on John Doe for primary caregiving. The supervision affects her
24 family directly through health risks and disruptions.
25

26 • Respondents are federal agencies and officials charged with enforcing immigration law
27 consistent with statutory and constitutional limits. Individual officers are sued under Bivens.
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1 **IV. FACTUAL BACKGROUND**

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3 In 2011, or earlier an Immigration Judge granted John Doe withholding of removal under CAT,
4 permanently prohibiting deportation to his country of origin.

5 Despite this, ICE has compelled Petitioners to appear for “check-ins” for over fourteen and one-
6 half years. For the first fourteen years John Doe was fully compliant, reporting only once every
7 six months or once per year. Beginning in 2025, with no change in circumstances and no
8 explanation beyond “the president is different,” ICE arbitrarily escalated the reporting
9 requirement to once every two months.

10 2a. At each check-in John Doe is forced to wait for hours in a crowded room filled with coughing
11 and visibly sick immigrants while he is a licensed IHSS nurse caring for multiple disabled and
12 medically fragile individuals. ICE refuses kiosk or expedited check-in access and repeatedly tells
13 him it is “because of the crime,” using the reporting requirement as ongoing punishment.

14 ICE officers repeatedly justified the supervision by citing “the nature of the crime,” language
15 drawn from probation law, not immigration statutes—creating a punishment without conviction
16 or sentence.

17 In clear defiance of *Zadvydas v. Davis*, 533 U.S. 678 (2001), which held that post-order
18 detention may not exceed six months where removal is not reasonably foreseeable, ICE detained
19 John Doe for nearly one year, then extended his control through fourteen and one-half years of
20 coercive “supervision.” *Clark v. Martinez*, 543 U.S. 371 (2005), confirmed that the six-month
21 limitation applies to all categories of non-removable persons.

1 ICE's misinterpretation of law converts an expired six-month "reasonable period" into perpetual
2 administrative custody, directly contradicting both *Zadvydas* and *Jones v. Cunningham*, 371 U.S.
3 236 (1963) (parole and supervision are custody).
4

5 **During a 2023 Houston check-in, ICE officers surrounded John Doe and his counsel, balled**
6 **their fists, and physically threatened both, after counsel—an officer of the court in good**
7 **standing—asked about the legal authority for continued supervision.** This attorney may be
8 called as a fact witness to this intimidation. **Such conduct violates the First Amendment right**
9 **to petition and the Fifth Amendment right to counsel. *Bounds v. Smith*, 430 U.S. 817 (1977).**

10
11 **ICE further violated CAT protections by contacting the embassy of the barred nation and**
12 **confirming John Doe's presence in the United States. *INS v. Cardoza-Fonseca*, 480 U.S. 421**
13 **(1987).**

14
15 John Doe is a state-approved caregiver for two disabled relatives—one recently hospitalized—
16 and for Jane Doe. Forcing him to attend in-person check-ins jeopardizes patient safety, including
17 Jane Doe's, and constitutes medical and psychological abuse of both Petitioners and their
18 dependents. *Olmstead v. L.C.*, 527 U.S. 581 (1999). As IHSS nurse to his disabled spouse, this
19 creates immediate risks to the family.

20
21 **ICE's refusal to provide ADA accommodations violates 42 U.S.C. § 12132 and 28 C.F.R. §**
22 **35.130(b)(7).** This refusal continued even during John Doe's prior incarceration, where religious
23 needs were ignored, proper medications for his disabilities were denied causing worsening
24 conditions, and he was subjected to forced injections, forced X-rays, and repeated medically
25 unnecessary testing solely for contractor profit.

1 **For safety, Petitioners have repeatedly retained attorneys and enlisted family members to**
2 **accompany John Doe to ICE offices—imposing financial and emotional burdens traceable**
3 **to ICE’s misconduct.**

4
5 **ICE simultaneously claims resource shortages while spending millions supervising non-**
6 **removable persons**, an act of institutional hypocrisy and fraud against the American taxpayer.

7
8 **ICE’s over-supervision aligns with a pattern of contract padding and profiteering,**
9 **funneling federal funds to private detention contractors and service firms linked to former**
10 **officials. The agency creates artificial caseloads to justify budget increases while claiming**
11 **crisis. This is a conflict of interest and misappropriation of public funds, prohibited by 31**
12 **U.S.C. § 3729 (False Claims Act).**

13
14 **The White House and Congress have never authorized ICE to detain or monitor CAT-**
15 **protected individuals indefinitely.** ICE’s actions reflect lack of training, reckless independence,
16 not executive mandate, and a culture that fosters hate speech and recruits individuals with hateful
17 ideologies.

18
19 John Doe continues to contest the legitimacy of the original criminal allegations, which involve
20 technology that did not exist during the alleged timeframe—making any reference to “the nature
21 of the crime” factually and legally baseless. ICE, through its involvement in the sting operation
22 as part of or in collaboration with the Innocent Images Task Force, misrepresented evidence
23 while John Doe was medically incapable of defending himself. Although John Doe had
24 psychologists and evaluations, he was under improper medications that no one knew about at the
25 time, and the psychologists were told they did not have enough time to keep pushing the case
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1 because the judge would get impatient. During incarceration, John Doe did not have proper
2 treatment, which meant he did not have the state of mind to appeal in time. As an example during
3 his incarceration with ICE, **Guards bragged about isolating detainees and throwing CS/OC**
4 **combination grenades near cells with such force that paint peeled from the walls.** He was
5 **also subject to repeated and improper medical testing and injections for profit.** This is a
6 violation of his ADA rights and human rights to have his case heard, as it is unconstitutional for
7 someone to be incarcerated and denied medication or psychological access to reach a healthy
8 state of mind while their appeals process lapses. This ties into the total design of ICE
9 criminalizing John Doe and others for profit, turning vulnerable people into lifelong revenue
10 sources through labeling and supervision.

12

13 **After more than fourteen and one-half years of coerced reporting and prior year-long**
14 **detention, ICE's conduct constitutes a continuing tort of false imprisonment and abuse of**
15 **authority under 18 U.S.C. §§ 241–242 and actionable civil rights violations under 42 U.S.C.**
16 **§ 1983.** This pattern extends to fabricating crimes against vulnerable individuals—those with
17 mental illness, refusing asset roles, or easy targets—to hook them into supervision as cash cows
18 post-federal labeling. **The labeling has led to collateral consequences, including the**
19 **victimization and targeting of John Doe's family. Jane Doe was sexually assaulted and**
20 **denied a rape kit** by malevolent actors with law-enforcement ties because she was seen as low
21 hanging fruit, the spouse of somebody on the “list.” There is currently a civil state-level
22 multimillion dollar lawsuit implicating multiple state actors. John Doe's family has been
23 harassed during enforcement, including slamming his non-English speaking grandmother to the
24 wall to gain access to the residence to confirm he lived there at early hours in the morning. As a
25 result of the lawsuit, there is now a potential double homicide and arson claim that is being
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1 investigated as retaliatory. After months of harassment and an illegal arrest in retaliation for the
2 lawsuit and an attempted 5150/5250 hold, the home of a mechanic—who was given the broken-
3 down car John Doe was driving during the arrest—was burned down. This is the same car John
4 Doe was in during the illegal extra-jurisdictional arrest by Glendale police, where they dragged
5 him to the police station, put him in a juvenile detention cell for more than 24 hours with no
6 phone call after sexually assaulting him, then mistreating him until he had a heart attack. **These**
7 **are collateral consequences of the labeling, where it allows malevolent actors with access to**
8 **law-enforcement data to target people on these lists as low hanging fruit and victimize their**
9 **families.**

12 **Petitioners sent two letters to ICE demanding written justification for supervision within**
13 **14 court days; no response. This silence constitutes waiver and estops enforcement (INS v.**
14 **Miranda, 459 U.S. 14 (1982); Akbarin v. INS, 669 F.2d 839 (1st Cir. 1982)).**

16 **V. LEGAL CLAIMS**

17 **Count I – Mandamus (28 U.S.C. § 1361)**

18 ICE’s duty is ministerial: once removal is not reasonably foreseeable, it must release and
19 terminate custody. I.N.S. v. St. Cyr, 533 U.S. 289 (2001); Heckler v. Ringer, 466 U.S. 602
20 (1984).

23 **Count II – Administrative Procedure Act (5 U.S.C. § 706)**

25 By extending supervision indefinitely, ICE acts “arbitrarily and capriciously.” Motor Vehicle
26 Mfrs. Ass’n v. State Farm, 463 U.S. 29 (1983).

27 **Count III – Civil Rights (42 U.S.C. § 1983)**

1 ICE officials, acting under color of federal law, deprived Petitioners of liberty and equal
2 protection. *Monell v. Dept. of Social Services*, 436 U.S. 658 (1978); *Hope v. Pelzer*, 536 U.S.
3 730 (2002).

4

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6 **Count IV – Deprivation of Rights Under Color of Law (18 U.S.C. §§ 241–242)**

7 Threatening counsel, coercing appearances, and disregarding court protection orders constitute
8 criminal and civil rights violations. *United States v. Lanier*, 520 U.S. 259 (1997).

9

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11 **Count V – ADA Title II (42 U.S.C. § 12132)**

12 Failure to accommodate disability and caregiving duties violates the ADA. *Tennessee v. Lane*,
13 541 U.S. 509 (2004); *Tucker v. Tennessee*, 539 F.3d 526 (6th Cir. 2008).

14

15 **Count VI – False Imprisonment / Abuse of Authority**

16 Prolonged supervision without legal basis constitutes ongoing unlawful restraint. *McBride v.*
17 *Soos*, 594 F.2d 610 (7th Cir. 1979).

18

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20 **Count VII – Bivens Action for Constitutional Violations**

21 Individual officers violated First, Fifth, and Fourteenth Amendments through threats, custody,
22 and denial of accommodations (*Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971);
23 *Enriquez-Perdomo v. Newman*, 54 F.4th 855 (6th Cir. 2022); *Hartman v. Moore*, 547 U.S. 250
24 (2006)). Damages: \$5,000,000 compensatory, punitive.

25

26 **Count VIII – Estoppel/Waiver by Agency Non-Response**

27 ICE's failure to respond to letters waives claims (*Akbarin*, 669 F.2d 839).

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3 **Count IX – Request for Investigation into Fabrication and Profiteering**

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ICE's pattern of state-sponsored arson tied to state-sponsored double homicide with potential ties to legacy law enforcement families, evidence fabrication, profiteering from detention/supervision, and targeting vulnerable individuals for fabricated crimes to sustain cash flows violates due process and False Claims Act. Request Court/DOJ/OIG probe similar cases (U.S. ex rel. Love v. ICE, 54 F.4th 855 (2022); ACLU reports on private prison incentives).

10 **VI. EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND**
11 **INJUNCTIVE RELIEF**

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Petitioners seek TRO enjoining the next check-in and all supervision pending resolution, and permanent injunction declaring waiver. Irreparable harm: Health risks to disabled spouse/relatives, psychological abuse (Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7 (2008); Gonzalez v. ICE, No. 19-cv-01267 (N.D. Cal. 2019)). Likelihood of success high under Zadvydas; equities/public interest favor lawful action.

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20 **DECLARATION OF EX PARTE NOTICE**

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Petitioners certify that ex parte relief is necessary because immediate and irreparable injury will result before the adverse party can be heard (FRCP 65(b)). ICE has not been given notice because detention is imminent following a missed check-in, and notice would trigger that harm.

26 **VII. PRAYER FOR RELIEF**

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Petitioners respectfully request that this Court:

1 Issue a Writ of Mandamus ordering ICE and DHS to terminate all supervision and cease further
2 enforcement absent new judicial authority;

3
4 A. Declare that continued supervision of a CAT-protected, non-removable individual violates
5 Zadvydas, Clark, and constitutional due process;

6
7 B. Enjoin ICE from intimidating attorneys, threatening caretakers, or contacting foreign
8 governments protected by court order;

9
10 C. Recognize that Petitioners' attorney is a fact witness and officer of the court, whose
11 intimidation by ICE constitutes obstruction of justice;

12 D. Declare that ICE's misinterpretation of the six-month detention rule, and its conversion into
13 fourteen years of custody, is unlawful and void;

14
15 E. Order DHS to investigate and correct fraudulent spending and contractor collusion arising
16 from unnecessary supervision programs;

17
18 F. Acknowledge Petitioners' right to file an SF-95 tort claim or civil suit for damages stemming
19 from prolonged false imprisonment, threats, and interference with caregiving;

20
21 G. Order an investigation by DOJ/OIG into ICE's patterns of evidence fabrication, profiteering
22 from detention/supervision, and targeting vulnerable individuals for fabricated crimes to
23 sustain cash flows;

24
25 H. Grant such other relief as justice and equity require.

26
27 I. Award plaintiff \$5,000,000.00 in compensatory and punitive damages under Bivens.

1 **VIII. ADDITIONAL FACTUAL ALLEGATIONS AND OFFER OF PROOF**

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4 16. Petitioners have been contacted by two former employees of the federal immigration-
5 detention system, including at least one believed to have held a highly respected leadership
6 position within ICE or its contracting network. These individuals have expressed willingness to
7 provide sworn testimony—if the Court grants protective order for sealed submission—regarding
8 ongoing patterns of systemic fraud, misconduct, and evidence fabrication.

9

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11 **17. These witnesses will testify that:**

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13 A. Repeated and unnecessary inmate transfers are systematically ordered to generate secure
14 transport costs billed to the government, involving buses, guards, and equipment.

15

16 B. Tobacco is illicitly sold and promoted inside facilities despite federal prohibition, with
17 detectors disabled to allow it.

18

19 C. Inmates are subjected to medically unnecessary procedures—e.g., 30+ TB skin tests in two
20 months—purely for billing.

21

22 D. Contractors and guards have facilitated drug trade, extortion, and long-term detention for
23 profit, including fabricating evidence to extend supervision.

24

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26 18. Petitioners are prepared to submit their names under seal and request in-camera review to
27 protect their safety.

28

1 **IX. REQUEST FOR INVESTIGATION**

2 19. Petitioners request that the Court, or relevant federal oversight authority, initiate an
3 investigation into:

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5 A. Transport billing fraud;

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7 B. Illicit tobacco trafficking;

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9 C. Medically unnecessary testing;

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11 D. Contractor-based misconduct;

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13 E. Abuse of taxpayer funds;

14

15 F. Evidence fabrication in sting operations and profiteering from targeting vulnerable
16 individuals for fabricated crimes to sustain cash flows.

17 **X. VERIFICATION**

18 We, John Doe and Jane Doe, declare under penalty of perjury under the laws of the United States
19 that the foregoing is true and correct.

20 Executed on December 5, 2025, at Los Angeles, California.

21 John Doe Pro Per: John Doe, Jane Doe Pro Per: Jane Doe

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EXHIBIT LIST A - C

1 EXHIBIT A

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3 PROOF OF CAT

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8 **IT IS FURTHER ORDERED** that the Respondent's application for deferral of
9 removal under the Convention Against Torture pursuant to 8 C.F.R. § 1208.17 be
GRANTED.

10 **IT IS FURTHER ORDERED** that the Respondent be removed from the United
11 States to Iran on the charge contained in the Notice to Appear.

12 **IT IS FINALLY ORDERED** that the Respondent's removal be **WITHHELD**
13 under the Convention Against Torture pursuant to 8 C.F.R. § 1208.17.

PROOF OF TPS
STATUS
VERIFIABLE
VIA DHS

14 **WARNINGS TO THE RESPONDENT:** Deferral of Removal

15 (i) Does not confer upon the alien any lawful or permanent immigration status in
16 the United States;

17 (ii) Will not necessarily result in the alien being released from the custody of the
18 Service if the alien is subject to such custody;

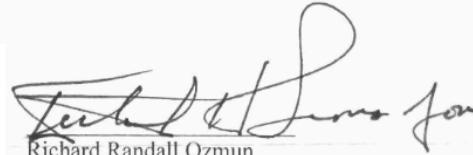
19 (iii) Is effective only until terminated; and

20 (iv) Is subject to review and termination if the immigration judge determines that
21 it is not likely that the alien would be tortured in the country to which removal has
22 been deferred, or if the alien requests that deferral be terminated.

23 *See 8 CFR 1208.17(b).* In addition, removal has been deferred only to Iran, the country
24 in which it has been determined that you will likely to be tortured. You may be removed
25 at any time to another country where you will not likely to be tortured.

26 **Appeal:** This Decision is final unless an appeal is filed with the Board of Immigration
27 Appeals within 30 days of the issuance of this Decision.

28 Date: April 14, 2011



Richard Randall Ozmun
USDOJ/ EOIR
Immigration Judge

25 Copy to:
26 Chief Counsel, DHS/ICE

EXHIBIT B

14 PLUS YEARS OF ILLEGAL “SECRET PROBATION” AND REFUSAL OF ADA ACCOMMODATIONS

ORDER OF SUPERVISION (CONTINUATION PAGE)		
		Picture
Alien Name [REDACTED]		Right Index Print
File Number [REDACTED]	Date October 13, 2023	[REDACTED]
Alien's Signature [REDACTED]		
Alien's Telephone Number (if any)		
Alien's Address 1033 Marengo Dr GLEN ELLIOT CALIFORNIA 91206		
PORT RECORD		
Date	Officer	Comment/Changes
4-16-24	DK	Next Report 10-16-2024
OCT 16 2024	BL	Next Report Date 10-16-2025 @ 9am
10/16/25	SL	Next Report: 12/16/2025 @ 8am
<p>Signature </p> <p>RILEY, DAJON</p> <p>Title Deportation Officer</p>		

EXHIBIT C - NOTICE TO ICE AND PROOF OF RECEIPT

To Whom It May Concern,

This letter is provided as formal notice that continued demands for in-person check-ins or supervisory contact are now subject to a pending constitutional challenge, which has been entered into the record under protective identity and sealed exhibit protocols.

At present, there exists no lawful basis—judicial or statutory—for ongoing physical supervision, particularly in light of federal rulings governing the detention and treatment of non-removable individuals under protections such as **Zadvydas v. Davis, 533 U.S. 678 (2001)**, the **Convention Against Torture**, and **California Government Code §§ 6205–6211**.

Due to the sensitive nature of past professional work, including collaborative roles intersecting with federal and civilian infrastructure, further communication outside authorized legal process may be construed as extrajudicial in nature and subject to legal scrutiny. Discretion is expected.

If your agency maintains that I remain lawfully subject to any form of supervisory obligation, you are required to state so in writing within **fourteen (14) court days** from the date of this letter. Failure to respond shall constitute waiver of any enforcement interest under current supervisory frameworks, and will be preserved accordingly for judicial review.

Please be advised:

This matter has been flagged for internal legal review at multiple levels. Any deviation from written protocol will be noted for oversight routing.

No further disclosures will be made outside a formal judicial process. Govern yourselves accordingly.

Sep - 19 - 2025 Respectfully, **REDACTED TO JOHN DOE**

