

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Abdul Moqem Mohammadi v. Ladeon Francis et al.

Mohammadi · No. 25-CV-10016 (JMF) · Decided December 5, 2025

SUMMARY

This is a Southern District of New York order in a habeas corpus action under 28 U.S.C. § 2241. The Court stayed the petitioner’s removal and restricted his transfer pending further order, directed counsel to appear for a conference, and requested briefing or argument concerning the petitioner’s location at filing and the potential application of recent immigration decisions.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Jesse M. Furman
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 5, 2025
DOCKET	25-CV-10016 (JMF)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Before a conference on the petition, the court entered interim orders staying petitioner’s removal and restricting his transfer pending further order.
PRECEDENTIAL VALUE	unpublished, nonprecedential interim order
PARTIES	Abdul Moqem Mohammadi v. Ladeon Francis et al.

TOPICS

- removal proceedings
- immigration detention
- injunctions
- immigration
- civil procedure

PRACTICE AREAS

- immigration law
- federal habeas corpus
- civil procedure

QUESTIONS PRESENTED

1. Whether the court should temporarily stay petitioner's removal to preserve its jurisdiction over the § 2241 petition.
2. Whether the court should restrict respondents from transferring petitioner outside specified nearby districts pending further order.
3. Whether petitioner's location at the time of filing affected the court's jurisdiction and whether the case was distinguishable from recent immigration habeas decisions.

HOLDINGS

1. Pending a ruling on the habeas petition, petitioner shall not be removed from the United States absent further order of the court.
2. Pending further order, respondents shall not transfer petitioner except to a facility within the Southern District of New York, Eastern District of New York, or District of New Jersey.

KEY QUOTATIONS

“[A] a federal court may temporarily enjoin immigration authorities from deporting individuals if it preserves the court’s jurisdiction over a case or cases.”

FACTUAL BACKGROUND

Mohammadi filed a federal habeas petition challenging an immigration matter under 28 U.S.C. § 2241. The petition alleged that he was located in the Southern District of New York when it was filed. The court was concerned that removal or transfer could impair its jurisdiction and counsel's access to him, so it temporarily barred removal and limited transfers to facilities within the Southern District of New York, Eastern District of New York, or District of New Jersey.

PROCEDURAL HISTORY

The matter came before the Southern District of New York on a § 2241 habeas petition filed by Mohammadi. The court ordered counsel to appear for a same-day conference and imposed temporary restrictions on removal and transfer to preserve jurisdiction, maintain counsel's access, and facilitate resolution of the petition. The court directed respondents to address petitioner's location at filing, potentially relevant recent immigration decisions, and whether they would consent to issuance of the writ.

DISPOSITION

other

CASES CITED

- Khalil v. Joyce, No. 25-CV-01935 (JMF), 2025 WL 750599, at *1 (S.D.N.Y. Mar. 10, 2025)
- Du v. United States Dep't of Homeland Sec., No. 25-CV-644 (OAW), 2025 WL 1317944, at *1 (D. Conn. Apr. 24, 2025)
- Perez y Perez v. Noem, No. 25-CV-4828 (DEH), 2025 WL 1908284, at *2-3 (S.D.N.Y. June 13, 2025)

- Arostegui-Maldonado v. Baltazar, No. 25-CV-2205-WJM-STV, 2025 WL 2280357, at *14-16 (D. Colo. Aug. 8, 2025)
- Oliveros v. Kaiser, No. 25-CV-07117-BLF, 2025 WL 2677125, at *8-9, *11 (N.D. Cal. Sept. 18, 2025)
- Guzman Cardenas v. Almodovar, No. 25-CV-9169 (JMF), 2025 WL 3215573 (S.D.N.Y. Nov. 18, 2025)
- Khabazha v. U.S. Imm. & Customs Enforcement, No. 25-CV-5279 (JMF), 2025 WL 3281514, at *1 (S.D.N.Y. Nov. 25, 2025)
- Öztürk v. Hyde, 136 F.4th 382, 391-92 (2d Cir. 2025)
- Khalil v. Joyce, 771 F. Supp. 3d 268 (S.D.N.Y. 2025)

OPINION

Mohammadi

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

----- X ABDUL MOQEM MOHAMMADI, :

Petitioner, : 25-CV-10016 (JMF)

-v- : STAY OF REMOVAL

: AND NOTICE OF

LADEON FRANCIS et al., : CONFERENCE

: (IMMIGRATION CASES)

Respondents. : ----- X JESSE M. FURMAN,

United States District Judge: Petitioner has filed a Petition for the writ of habeas corpus under 28 U.S.C. § 2241. Per the text-only Order that the Court entered earlier this morning, counsel for all parties shall appear for a conference with the Court TODAY, December 5, 2025 at 1:00 p.m. The conference will be held remotely by telephone in accordance with Rule 3(B) of the Court's Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>. The parties should join the conference by calling the Court's dedicated conference line at (855) 244-8681 and using access code 2303 019 3884, followed by the pound (#) key. When prompted for an attendee ID number, press the pound (#) key again. To preserve the Court's jurisdiction pending a ruling on the Petition, Petitioner shall not be removed from the United States absent further order of this Court. See, e.g., Khalil v. Joyce, No. 25-CV-01935 (JMF), 2025 WL 750599, at *1 (S.D.N.Y. Mar. 10, 2025) (citing cases); see also, e.g., Du v. United States Dep't of Homeland Sec., No. 25-CV-644 (OAW), 2025 WL 1317944, at *1 (D. Conn. Apr. 24, 2025) ("[A] federal court may temporarily enjoin immigration authorities from deporting individuals if it preserves the court's jurisdiction over a case or cases."). Moreover, to preserve counsel's access to Petitioner and to facilitate resolution of the Petition, Respondents shall not transfer Petitioner except to a facility within this District, the Eastern District of New York, or the District of New Jersey absent further order of this Court. See, e.g., Perez y Perez v. Noem, No. 25-CV-4828

(DEH), 2025 WL 1908284, at *2-3 (S.D.N.Y. June 13, 2025) (enjoining a habeas petitioner's transfer pending adjudication of his petition); see also, e.g., *Arostegui-Maldonado v. Baltazar*, No. 25-CV-2205-WJM-STV, 2025 WL 2280357, at *14-16 (D. Colo. Aug. 8, 2025) (same); *Oliveros v. Kaiser*, No. 25-CV-07117-BLF, 2025 WL 2677125, at *8-9, *11 (N.D. Cal. Sept. 18, 2025) (same). Counsel should confer in advance of the conference. At the conference, Respondents shall be prepared to address (1) whether Petitioner was, as the Petition alleges, see ECF No. 1, ¶ 15, located in the Southern District of New York at the time that the Petition was filed; and (2) whether there is any basis to distinguish this case from the Court's recent immigration decisions, including *Guzman Cardenas v. Almodovar*, No. 25-CV-9169 (JMF), 2025 WL 3215573 (S.D.N.Y. Nov. 18, 2025) and *Khabazha v. U.S. Imm. And Customs Enforcement*, No. 25-CV-5279 (JMF), 2025 WL 3281514, at *1 (S.D.N.Y. Nov. 25, 2025), and, if not, whether Respondents would consent to issuance of the writ — subject to preservation of Respondents' arguments for appeal. SO ORDERED. Dated: December 5, 2025 New York, New York JESS URMAN nited States District Judge If Respondents believe that Petitioner was not in the Southern District of New York at the time the Petition was filed, the parties should confer and be prepared to address whether the Court should order immediate transfer to the District in which Petitioner was located at the time of filing. See, e.g., *Oztiirk v. Hyde*, 136 F 4th 382, 391-92 (2d Cir. 2025); *Khalil v. Joyce*, 771 F. Supp. 3d 268 (S.D.N.Y. 2025).