

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Riaz Sukhyani v. Pamela J. Bondi, et al.

Sukhyani · No. CIV-25-1243-J · Decided November 25, 2025

SUMMARY

The United States District Court for the Western District of Oklahoma adopted a magistrate judge’s Report and Recommendation granting Riaz Sukhyani habeas relief under 28 U.S.C. § 2241. The court held that the respondents’ general objection did not trigger de novo review and found no clear error in the recommendation that Sukhyani’s continued immigration detention violated the principles established in *Zadvydas v. Davis*. Respondents were ordered to immediately release Sukhyani subject to an appropriate Order of Supervision.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Bernard M. Jones
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	November 25, 2025
DOCKET	CIV-25-1243-J
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 from prolonged immigration detention. After a magistrate judge recommended granting relief and ordering release, respondents objected. The district court overruled the objection as insufficiently specific, reviewed the recommendation for clear error, adopted it, and ordered petitioner's release subject to an appropriate Order of Supervision.
STANDARD OF REVIEW	A specific and timely objection to a magistrate judge's report and recommendation triggers de novo review under Fed. R. Civ. P. 72(b) (3). Because respondents' objection was too general and merely incorporated prior arguments, the court reviewed the Report and Recommendation for clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Pamela J. Bondi, et al. v. Riaz Sukhyani

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether respondents' objection to the magistrate judge's Report and Recommendation was sufficiently specific to trigger de novo review under Fed. R. Civ. P. 72(b)(3).
2. Whether the record contained clear error in the magistrate judge's conclusion that petitioner satisfied the Zadvydas standard for release from post-removal-order detention.
3. Whether petitioner was entitled to habeas relief under 28 U.S.C. § 2241 and release from ICE detention subject to an Order of Supervision.

HOLDINGS

1. A timely objection that merely asserts disagreement with a Report and Recommendation, without identifying specific factual or legal errors, is insufficient to trigger de novo review under Fed. R. Civ. P. 72(b)(3). Incorporating or reasserting arguments from prior briefing without specifically challenging the recommendation is likewise insufficient.
2. The court found no clear error in the magistrate judge's conclusion that petitioner met his burden under Zadvydas and that respondents failed to rebut his showing that there was no significant likelihood of removal in the reasonably foreseeable future.
3. Petitioner was entitled to habeas relief under 28 U.S.C. § 2241, and respondents were ordered to immediately release him subject to the terms of an appropriate Order of Supervision.

KEY QUOTATIONS

“After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” (Background)

“Accordingly, Petitioner’s Verified Petition for Writ of Habeas Corpus [Doc. No. 1] is GRANTED to the extent it requests habeas relief under 28 U.S.C. § 2241 and Respondents are ordered to immediately RELEASE Petitioner, subject to the terms of an appropriate OOS.” (Analysis and disposition)

FACTUAL BACKGROUND

Sukhyani, a Pakistani national, was paroled into the United States in March 1993 and taken into ICE custody in 2006 following a criminal conviction. Because he could not be removed to Pakistan and other countries refused or failed to accept him, he was released in 2008 on an Order of Supervision. ICE re-detained him in June 2025, and he filed a habeas petition in October 2025 challenging his continued detention.

PROCEDURAL HISTORY

Sukhyani filed a verified § 2241 habeas petition challenging his detention by ICE under 8 U.S.C. § 1231(a) and *Zadvydas v. Davis*. Magistrate Judge Chris M. Stephens issued a Report and Recommendation concluding that Sukhyani had shown detention exceeding six months and no significant likelihood of removal in the reasonably foreseeable future, while respondents failed to rebut that showing. The district court held that respondents' general objection and incorporation of prior arguments did not trigger de novo review, found no clear error, adopted the Report and Recommendation, granted habeas relief, and ordered Sukhyani released.

DISPOSITION

other

CASES CITED

- *Zadvydas v. Davis*, 533 U.S. 678 (2001)
- *United States v. 2121 E. 30th St.*, 73 F.3d 1057 (10th Cir. 1996)
- *Hall v. Miller*, No. CIV-25-00518-JD, 2025 WL 2630738, at *1 (W.D. Okla. Sept. 12, 2025)
- *Jones v. Dish Network Corp.*, No. 22-CV-00167-CMA-STV, 2023 WL 2796943, at *17 (D. Colo. Jan. 31, 2023)
- *Pierce v. Kobach*, No. 23-4028-JWB, 2023 WL 3948597, at *1 (D. Kan. June 12, 2023)
- *Cisneros v. Gomez*, No. CIV-21-825-PRW, 2023 WL 2543435, at *1 (W.D. Okla. Mar. 16, 2023)
- *O'Neil v. Hill*, No. 1:21-CV-4173-AT, 2024 WL 4665553, at *2 (N.D. Ga. Sept. 17, 2024)
- *Dickerson v. Conway*, No. 08 CIV. 8024 PAE FM-2 (S.D.N.Y. June 25, 2013)
- *Barnett v. Oklahoma State Reformatory*, No. CIV-25-248-J, 2025 WL 2205827, at *1 (W.D. Okla. Aug. 4, 2025)

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