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DEPARTMENT OF JUSTICE
2008 FEB 26 PM 1:42
ICE
FOR IMMIGRATION JUDGE

K.L.B.

Richard Steven Riess
A88 664 582
1705 E. Hanna Rd
Elroy, AZ 85231

In the matter of:
Richard Steven Riess
In Removal Proceedings.

Request for Custody
Redetermination Hearing


The Respondent, Richard Steven Riess in pro se, respectfully requests of the court to be granted a Custody Redetermination Hearing for the reason that, by the Department of Homeland Security's own admission, in court on February 6th, 2008 the Department has absolutely no evidence of my alleged alienage and, as such, has no authority or jurisdiction to arrest or detain me.

Section 287 of the Immigration and Nationality Act grants authority to detain a "person suspected of being an alien" only for the purpose of interrogation and only "briefly". All other references in section 287 are to "aliens" which implies that alienage MUST be established BEFORE an arrest and detention can be executed.

For the foregoing reasons, the Respondent respectfully requests that the court grant a custody redetermination hearing in this matter.

Respectfully Submitted,

Dated: 2/25/08




Richard Steven Riess

Certificate of Service

I, Richard Steven Riess, hereby certify that a true and correct copy of the attached "Request for Custody Redetermination Hearing" was served upon the interested party, addressed below by placing a copy in a sealed envelope and mailed by the institutional inter-house mail system.

on: 2/25/08

By: 
Richard Steven Riess

Assistant Chief Counsel
U.S. Department of Homeland Security
Immigration and Customs Enforcement
1705 E. Hanna Rd.
Elroy, AZ 85231