

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted December 11, 2025*

Decided December 15, 2025

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

No. 25-1578

KARANPREET SINGH,
Petitioner,

Petition for Review of a Final
Administrative Removal Order.

v.

No. 220 471 650

PAMELA J. BONDI,
Attorney General of the United States,
Respondent.

ORDER

Karanpreet Singh petitions for review of a final administrative removal order issued against him by the Department of Homeland Security. He contends that the Department committed procedural errors when issuing the order and requests that the

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

order be vacated. But because Singh has not demonstrated any prejudice arising from the alleged errors, we deny the petition.

Singh, a citizen of India and permanent resident of Canada, entered the United States from Canada in November 2021 on a visitor visa. In April 2024, he pleaded guilty to conspiracy to possess with intent to distribute methamphetamine. *See* 21 U.S.C. § 841(a)(1); *United States v. Singh*, No. 0645 2:22CR20124 (2) (E.D. Mich. May 2, 2024). The district court imposed 60 months' imprisonment.

In December 2024, the Department served Singh with a Notice of Intent to Issue a Final Administrative Removal Order under 8 U.S.C. § 1228(b). The order charged Singh as removable under 8 U.S.C. § 1227(a)(2)(A)(iii) based on his conviction for an aggravated felony.

Singh responded three days later, raising three points. First, he stated that he wanted to be removed to Canada, where he is a lawful permanent resident. Second, he argued that his removal proceedings should proceed under § 1228(a) and § 1229a—before an immigration judge—rather than under § 1228(b), where the Department makes the final determination. Finally, he said that the Department should issue a detainer notice rather than a final removal order so that he could apply toward early release or prerelease custody the time credits he earned under the First Step Act. *See* 18 U.S.C. § 3632(d)(4)(A), (E).

Ten weeks later, the Department issued a final removal order. It directed Singh's removal to "India and or Canada or to any alternate country prescribed in section 241 of the [Immigration and Nationality] Act."

Singh petitions for review of the removal order, arguing that the Department violated his procedural rights. Singh contends that the Department violated the Act and its implementing regulations by failing to: (1) provide a list of free legal services, 8 C.F.R. § 238.1(b)(2)(iv); (2) order him removed to his designated country, *id.* § 238.1(b)(2)(ii); 8 U.S.C. § 1231(b)(2)(A)(ii); (3) translate his Notice into his native language, Punjabi, 8 C.F.R. § 238.1(b)(2)(v); and (4) grant his requests for additional time to respond to the Notice and for a copy of the Department's evidence, *id.* § 238.1(c)(1). To the extent that these arguments involve "constitutional claims or questions of law," 8 U.S.C. § 1252(a)(2)(D), we have limited jurisdiction to review them. *See, e.g., Issaq v. Holder*, 617 F.3d 962, 967 (7th Cir. 2010).

We do not address the Department's contention that Singh failed to exhaust his administrative remedies by not raising these arguments with the Department. A failure to exhaust does not affect our jurisdiction, *id.* at 968, and at least some of Singh's arguments could not have been raised until this petition. So we proceed to the merits.

Even if Singh could demonstrate procedural error, he cannot obtain relief unless those errors caused prejudice. *See Silais v. Sessions*, 855 F.3d 736, 745 (7th Cir. 2017) ("Courts ... do not set aside agencies' decisions unless mistakes cause prejudice." (internal quotation marks omitted)). In other words, Singh must show that the Department's errors affected the outcome of the proceedings. *See id.*

Singh cannot demonstrate prejudice because he does not dispute the allegation in the Notice that he was convicted of an aggravated felony. Because of his conviction, Singh is "conclusively presumed to be subject to removal and is ineligible for cancellation of removal, voluntary departure, and registration as a permanent resident alien." *United States v. Santiago-Ochoa*, 447 F.3d 1015, 1020 (7th Cir. 2006). Moreover, 8 U.S.C. § 1228(b)(5) bars noncitizens in expedited removal proceedings from any discretionary relief that the Attorney General may grant, so "the absence of prejudice is deducible almost as a matter of law." *Santiago-Ochoa*, 447 F.3d at 1020.

Singh contends that he suffered prejudice because he was unable to review the Department's evidence. But Singh does not explain how reviewing the evidence, in light of his admission that he was convicted of an aggravated felony, would change the outcome. Moreover, Singh had the opportunity to request a copy of the government's evidence and additional time to respond to the Notice, but he did neither. *See* 8 C.F.R. § 238.1(c). Although Singh argues in his brief that he made these requests, the administrative record does not support his assertion. *See Vergara v. Bondi*, 154 F.4th 572, 574 (7th Cir. 2025) (only documents in administrative record may be considered in resolving petition); 8 U.S.C. § 1252(b)(4)(A) (same). The record contains only one response from Singh, which includes neither request.

Singh further contends that he is prejudiced because the removal order, which states that he may be removed to "India and or Canada," disregards his stated preference for removal only to Canada. An alien "may designate one country to which the alien wants to be removed, and ... the Attorney General shall remove the alien" to the designated country. 8 U.S.C. § 1231(b)(2)(A). But the Department may disregard the designation on several grounds, including where the designated country will not accept the alien or removal to the country would be prejudicial to the United States. *Id.* § 1231(b)(2)(C); *see Jama v. Immigr. & Customs Enf't*, 543 U.S. 335, 346 (2005). When the

designated country is not used, the statute directs removal to the country of citizenship or, if that is not possible, one of several other countries. 8 U.S.C. § 1231(b)(2)(D), (E). Singh's removal order accurately captures the statutory requirements: He designated Canada as his preferred country of removal, and he is a citizen of India and has not stated a fear-based reason why he could not return. In any event, the Department has not yet determined Singh's country of removal and will not have to until he finishes his prison term and the removal period begins. *See* 8 C.F.R. § 241.4(g)(1)(i)(C). So any alleged prejudice is speculative.

Finally, Singh contends that the removal order deprives him of his time credits under the First Step Act. But this argument, which is not directed at Singh's removability, is meritless.

Accordingly, we DENY the petition for review.