

interview for her. *See generally* Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief. Dkt. No. 1.¹

3. Service of process has been made on both the federal Respondents-Defendants and Respondent-Defendant Messier. *See* Dkts. 11 and 14. The U.S. Attorney's Office for the District of Vermont was served on February 24, 2024, and Jeffrey Hartman from the Office of Immigration Litigation agreed to accept service on behalf of Respondent-Defendants DHS and Noem on February 25, 2025. Dkt. 11 at 1-2.

4. The federal habeas corpus statute provides that “[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.” 28 U.S.C. § 2243.

5. Section 2243 further provides that the writ or order to show cause “shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

6. Section 2243 further provides that the court shall hold a hearing on the writ or order to show cause “not more than five days after the return unless for good cause additional time is allowed.”

7. In addition, Section 2243 states that the court “shall summarily hear and determine the facts, and dispose of the matter as law and justice require.”

8. Pursuant to Section 2243, Ms. Doe requests that the Court immediately issue an Order to Show Cause directing Respondents-Defendants to file a return within three days of the

¹ Count I of the petition-complaint relates to the habeas corpus claim. *See* Dkt. 1 at ¶¶ 58-60. Thus, the Court is free to construe this application for issuance of order to show cause as seeking a response only to Count I.

Court's order, showing cause, if any, why the writ of habeas corpus should not be granted, and to provide Ms. Doe an opportunity to file a reply within 7 days after Respondents-Defendants file the return.

9. Since the filing of this petition, on February 24, 2025, Respondents-Defendants transferred Ms. Doe away from counsel and she is presently detained at the Richwood Correctional Center in Richwood, Louisiana. *See* Dkt, 11 at 2 (attesting to transfer); Exhibit A (ICE Detainee Locator Screenshot).

10. Giving Respondents-Defendants additional time to respond is inappropriate in this case because Ms. Doe faces irreparable harm due to the continued deprivation of her physical liberty. Her absence from the research group at Harvard University also is harming the research being conducted and the public interest in the results of that research. Finding a replacement for her "might not be feasible at all, and at best will take many months and arrest [] progress toward the aims funded and expected by the NIH's Director office ORIP (Office of Research Infrastructure Programs)." *See* Dkt. No. 1-2.

Respectfully submitted,

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**Admitted pro hac vice*

Attorneys for Petitioner-Plaintiff

Dated: March 3, 2025

CERTIFICATE OF SERVICE

I, Trina Realmuto, hereby certify that on March 3, 2025, immediately after filing the foregoing Order to Show Cause and accompanying proposed order, I will serve the docketed versions of both documents via electronic mail to:

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/s/ Trina Realmuto
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