



2. On March 29, 2025, this Court entered a Temporary Restraining Order enjoining Respondents from removing Petitioner to El Salvador or outside the District of Maryland for a period of fourteen (14) days, up and including April 12, 2025. (“TRO”) (ECF No. 3). The Court also set a briefing schedule and hearing on the matter. (ECF No. 4)

3. Subsequent to the foregoing, the parties learned that the Department of Homeland Security is subject to a temporary restraining order entered on March 28, 2025, that generally prohibits the removal of Petitioner to a country other than the country designated in his final order of removal. *See* ECF No. 9 at Exhibit 2, Temporary Restraining Order issued in *D.V.D., et al. v. U.S. Dep’t of Homeland Security, et al.*, Civ. No. 25-10676-BEM (D. Mass. Mar. 28, 2025) (ECF No. 34 at 2) (“*D.V.D. TRO*”) (enjoining DHS and others from “[r]emoving any individual subject to a final order of removal from the United States to a third country, i.e., a country other than the country designated for removal in immigration proceedings” unless certain conditions are met). A hearing on Petitioner’s Motion for a Preliminary Injunction and Motion for Class Certification in *D.V.D.* was set for April 10, 2025. (ECF No. 33 and 34.) The parties agreed that the Petitioner in the instant case is covered by the *D.V.D. TRO*.

4. In light of the foregoing, on April 4, 2025, the parties filed a Joint Status Report seeking to extend the TRO in the instant matter, as well as this Court’s briefing schedule and hearing, until Monday April 14, 2025.

5. On April 4, 2025, this Court issued an order extending the TRO until April 14, 2025, cancelling the existing briefing schedule and hearing, and ordering the parties to meet and confer to propose a new briefing schedule by April 14, 2025. (ECF No. 10.)

6. On April 8, 2025, the Court issued a paperless order scheduling a status conference call for Monday, April 14, 2025, at 3:00 pm. (ECF No. 11.)

7. On April 10, 2025, the Court in *D.V.D.* held an argument on Petitioner's Motion for Preliminary Injunction and Stay and Motion to Certify the Class. (*D.V.D.*, 25-10676-BEM) (ECF. No. 62.) Following the hearing, the Court took the Motions under advisement and ordered that the "TRO remains in place and is extended until the Motion for Preliminary Injunction is ruled upon." (*Id.*) The Court set a status conference for April, 28, 2025 at 11:00 a.m.

8. In light of the foregoing, the parties moved to further extend the TRO in the instant matter, as well as the status conference call, until April 28, 2025. On April 14, 2025, the Court issued an order extending the TRO and conference call in the instant matter until April 28, 2025.

9. On April 18, 2025, the Court in *D.V.D.* issued an order (*D.V.D.*, 25-10676-BEM) (ECF No. 64) granting the Petitioner's motion for class certification (ECF. No. 4) and motion for preliminary injunction (ECF. No. 6).

10. On April 28, 2025, the parties filed a joint status report agreeing that the Petitioner in this matter is a member of the certified class in *D.V.D.* and agreeing to extend the TRO in the instant matter until May 12, 2025.

11. On April 28, 2025, the Court entered an order directing the parties to file a joint status report by May 9, 2025.

12. On May 8, 2025, DHS provided Petitioner with a Notice of Removal, informing him that they intended to remove him to Mexico.

13. On May 8, 2025, Petitioner's counsel provided DHS notice that Petitioner has a credible fear of removal to Mexico, as well as nineteen (19) other Central and South American and Caribbean countries. and requested a Reasonable Fear Interview.

14. On May 12, 2025, the parties conferred and agreed to extend the TRO in the instant matter for an additional two weeks, until May 26, 2025.

15. On May 12, 2025, the Court entered an order directing that the TRO in the instant matter would remain in place until May 26, 2025. (ECF No. 20).

16. On May 21, 2025, the Court in *D.V.D.* issued a Memorandum Order (ECF No. 118) related to the existing preliminary injunction (ECF No. 64, citing ECF No. 6), setting forth the following summary and clarification of its preliminary injunction:

All removals to third countries, i.e., removal to a country other than the country or countries designated during immigration proceedings as the country of removal on the non-citizen's order of removal, see 8 U.S.C. § 1231(b)(1)(C), must be preceded by written notice to both the non-citizen and the non-citizen's counsel in a language the non-citizen can understand. Dkt. 64 at 46–47. Following notice, the individual must be given a meaningful opportunity, and **a minimum of ten days**, to raise a fear-based claim for CAT protection prior to removal. See *id.* If the non-citizen demonstrates “reasonable fear” of removal to the third country, Defendants must move to reopen the non-citizen's immigration proceedings. *Id.* If the non-citizen is not found to have demonstrated a “reasonable fear” of removal to the third country, Defendants must provide a meaningful opportunity, and a minimum of fifteen days, for the non-citizen to seek reopening of their immigration proceedings. *Id.*

(ECF No. 118) (emphasis in original.)

17. On May 23, 2025, in response to the parties' joint status report (ECF No. 19), the Court entered an order extending the TRO in the instant matter until June 9, 2025, and ordering the parties to provide a status report on or before June 6, 2025. (ECF No. 20).

18. On June 6, 2025, in response to the parties' joint status report (ECF No. 24), the Court entered an order extending the TRO in the instant matter until June 23, 2025, and ordering the parties to provide a status report on or before June 20, 2025. (ECF No. 25).

19. DHS is making efforts to schedule a reasonable fear interview in a manner consistent with the D.V.D. Memorandum Order. To date, Plaintiff's reasonable fear interview has not been scheduled but it is on U.S. Immigration and Custom Enforcement's (USCIS) current docket. However, as USCIS has indicated that the scheduling of reasonable fear interviews is currently delayed, the parties request they be provided four (4) weeks to provide the Court with a status update in this matter.

20. In light of the foregoing, the parties have conferred and agreed to extend the TRO in the instant matter for an additional four weeks, until July 21, 2025, and agree to provide a status report to the Court on or before July 18, 2025.

Respectfully submitted,

Date: June 20, 2025

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**CERTIFICATE OF SERVICE**

I, S. Nicole Nardone, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the ECF.

/s/ S. Nicole Nardone  
Assistant United States Attorney

Dated: June 20, 2025