

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

<hr/>		)
<b>JOHN DOE</b>		)
		)
<i>Plaintiff-Petitioner,</i>		)
		)
	v.	)
		)
<b>CHRISTOPHER BRACKETT</b>		)
Superintendent of Strafford County		)
Department of Corrections;		)
		)
<b>PATRICIA H. HYDE</b>		)
Boston Field Office Director		)
Immigration and Customs Enforcement		)
		)
<b>TODD LYONS</b>		)
Acting Director		)
U.S. Immigration and Customs Enforcement		)
		)
<b>KRISTI NOEM</b>		)
Secretary		)
U.S. Department of Homeland Security		)
		)
		)
<i>Defendants-Respondents.</i>		)
<hr/>		)

Civ. No: 1:25-cv-00158-PB-TSM

**ASSENTED TO MOTION TO DISMISS WITHOUT PREJUDICE**

1. On April 28, 2025, Petitioner John Doe (“Petitioner”) filed a Petition for Writ of Habeas Corpus. See Petition, ECF 1; Amended Petition, ECF 13. He sought a declaration that his continuing detention without a new bond hearing violates the governing regulation at 8 C.F.R. § 1003.19(e) and that his evidence has met the materially changed circumstances

under 8 C.F.R. § 1003.19(e), entitling Petitioner to a new bond hearing pending his removal proceedings. See id. He also requested that this Court order the immigration judge to hold a bond hearing based upon his change in circumstances. See id.

2. On August 12, 2025, the immigration judge denied Petitioner relief from removal. His removal counsel informed the Immigration and Customs Enforcement that he wishes to waive appeal in order to be removed as soon as possible.
3. Because of Petitioner's knowing and voluntary waiver of appeal, a final order of removal has entered. See 8 C.F.R. § 1241.1. Therefore, his detention is no longer governed by 8 U.S.C. § 1226(a) and 8 C.F.R. § 1003.19(e). See 8 U.S.C. 1231(a) (governing detention of noncitizens who have a final order of removal).
4. Because Petitioner's detention is no longer governed by 8 U.S.C. § 1226(a) and 8 C.F.R. § 1003.19(e), he seeks to dismiss his petition for writ of habeas corpus without prejudice.
5. Counsel for Petitioner conferred with the government, who assents to this dismissal without prejudice.

Respectfully submitted,

/s/ Ronald Abramson

Ronald L. Abramson, Esq. (NH Bar# 9936)

Shaheen & Gordon, P.A.

1155 Elm Street Suite 300, Manchester, NH 03101

[r Abramson@shaheengordon.com](mailto:r Abramson@shaheengordon.com)

Ph: 603-792-8472, Fax: 603-669-0903

Mary Holper, Esq.\*

Natalie Reysa, Student Attorney\*

Staniel Brutis, Student Attorney\*

Boston College Legal Services LAB Immigration Clinic

885 Centre St., Newton MA 02459

[holper@bc.edu](mailto:holper@bc.edu), Ph: 617-552-4573, Fax: 617-552-0593

\*Attorney Holper, *admitted pro hac vice* under D.N.H. Local Rule 83.2(b) on May 5, 2025.

\*Reysa and Brutis, *student appearances* under D.N.H. Local Rule 83.2(c), Appearance in Court by Law Students and Graduates filed on May 8, 2025.