

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

Case No.: 1:25-cv-22487-GAYLES

**JOSE GUERRA-CASTRO,**

**Petitioner,**

**v.**

**CHARLES PARRA, Assistant Field Office  
Director; GARRETT RIPA, Field Office  
Director, Miami Field Office; TODD LYONS,  
Acting Director, Immigration and Customs  
Enforcement; KRISTI NOEM, U.S. Secretary  
of Homeland Security,**

**Respondents.**

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**MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE**

Petitioner **Jose Guerra-Castro**, by and through undersigned counsel, respectfully moves this Honorable Court, pursuant to Federal Rule of Civil Procedure 41(a)(2), to voluntarily dismiss this action *with prejudice*, and in support thereof states as follows:

1. Respondents filed an Answer and Return to the Petition on June 13, 2025 (Dkt. 17). Accordingly, voluntary dismissal under Rule 41(a)(1) is not available, and leave of Court is required.
2. Petitioner no longer wishes to pursue this habeas action and seeks dismissal of the case with prejudice. Dismissal at this stage will not prejudice Respondents, and no counterclaims or other matters are pending before the Court.
3. Petitioner therefore respectfully requests that the Court dismiss this case with prejudice, with each party to bear its own costs and attorney's fees.



WHEREFORE, Petitioner respectfully requests that this Honorable Court enter an order dismissing this action with prejudice, with each party to bear its own costs and fees, and for such further relief as the Court deems just and proper.

Respectfully Submitted on this 9<sup>th</sup> day of October, 2025,

/s/ Jose W. Alvarez

**Jose W. Alvarez**

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