UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ALFREDO BENITO MALDONADO,	§	
	§	
Petitioner,	§	CIVIL ACTION NO. 4:25-cv-02541
v.	§	
	§	
KRISTI NOEM, SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY, et al.	§	
	§	
	§	
Respondents.	§	

RESPONDENTS' OPPOSITION TO PETITIONER'S MOTION FOR PRELIMINARY INJUNCTION

Respondents file this opposition to Petitioner's Motion for Preliminary Injunction (ECF No. 13). In support of their arguments that the Court is without subject matter jurisdiction to review Petitioner's claims and that the claims are unlikely to succeed on the merits, Respondents show the following:

I. SUMMARY

Petitioner Alfredo Benito Maldonado brings this writ of habeas corpus action to challenge the legality of his detention by Immigration and Customs Enforcement and prevent his removal. Not only does the Court lack subject matter jurisdiction to review his reinstated removal order under 8 U.S.C. § 1252(g), but Maldonado's primary argument is based on the incorrect assertion that his grant of deferred action through a U visa petition protects him from removal. In support of his previous Motion for a Temporary Restraining Order, Maldonado heavily relied on *Velasco Gomez v. Scott*, 2025 WL 1726465 (W.D.Wash. 2025), a case in which the court granted a TRO against the removal of a detained petitioner with a grant of deferred action. ECF No. 5. But since the Court granted the TRO, the *Velasco Gomez* court has denied the preliminary injunction in that case, dismissing the case because it had no subject matter jurisdiction under Section 1252(g). Thus, the Court should deny the Motion

for Preliminary Injunction, which largely reiterates arguments in his initial motion and fails to address the latest development in *Velasco Gomez* and dismiss the case.

II. BACKGROUND

A. The U Visa program

In October 2000, Congress created the U nonimmigrant classification ("the U visa program") as a part of the Victims of Trafficking and Violence Protection Act of 2000 ("VTVPA"), Pub. L. 106-386, 114 Stat. 1464, to provide nonimmigrant status to certain victims of crime who cooperate with law enforcement in the investigation or prosecution of a qualifying crime. *See* 8 U.S.C. § 1101(a)(15)(U). An individual is eligible for principal, U-1 nonimmigrant status if the individual can show that she: (1) has suffered substantial physical or mental abuse as a result of having been a victim of a qualifying crime; (2) has credible or reliable information about the crime, and has been, is being, or is likely to be helpful to law enforcement in investigating or prosecuting the crime; and (3) is admissible to the United States or has had all grounds of inadmissibility waived. *See id.*; *see also* 8 U.S.C. § 1182(a); 8 C.F.R. §§ 214.1(a)(3)(i), 214.14(c)(2)(iv). If USCIS approves the petitioner's U visa petition and the petitioner is in the United States, the petitioner will receive lawful U-1 nonimmigrant status and employment authorization for up to four years. *See* 8 U.S.C. § 1184(p)(6). The petitioner may also petition for certain qualifying relatives to join their petition. *See* 8 U.S.C. § 1101(a)(15)(U)(ii).

To seek U nonimmigrant status, an individual submits a Form I-918. 8 C.F.R. §§ 214.14(c)(1), (f)(2). An approvable U visa petition must include a certification from a "Federal, State, or local law enforcement official, prosecutor, judge, or other Federal, State, or local authority investigating criminal activity," and the certification must state the petitioner "has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution." 8 U.S.C. § 1184(p)(1). The petitioner or derivative must also be admissible to the United States or merit a favorable exercise of discretion to waive all grounds of inadmissibility. *Id.*, §§ 1182(a), (d)(3)(A)(ii), (d)(14); 8 C.F.R. §§ 212.17, 214.1(a)(3)(i). For

an inadmissible alien's Form I-918 to be approved, USCIS must approve a Form I-192 to waive all applicable grounds of inadmissibility in USCIS's discretion. 8 C.F.R. §§ 212.17(a), (b). USCIS renders final decisions on U visa petitions when U visas become available based on the order the principal petition was received, with the oldest filings receiving highest priority. 8 C.F.R. § 214.14(d)(2); USCIS Policy Manual, Vol. 3, Part C, Ch. 7, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-7 (last visited on May 5, 2025).

The U visa program has a statutory cap of 10,000 principal U-1 nonimmigrant visas per year. 8 U.S.C. § 1184(p)(2)(A). Anticipating that the 10,000 annual statutory cap would be met within the first few fiscal years of enactment, USCIS created a regulatory waiting list process. *See* 8 C.F.R. § 214.14(d)(2). If a U visa petition is determined to be approvable, but for the fact that a visa is not available due to the statutory cap, the petitioner is placed on the waiting list. *See id.*, § 214.14(d)(2). This determination of eligibility includes assessing whether it appears that any grounds of inadmissibility should be waived in the exercise of discretion in the final adjudication. *See* USCIS Policy Manual, Vol. 3, Part C, Ch. 6, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-6 (last visited May 5, 2025).

B. Deferred Action for Bona Fide Petitions is an act of administrative convenience.

The regulations provide that, when USCIS places a petition on the waiting list, "USCIS will grant deferred action or parole to U-1 petitioners and qualifying family members while the U-1 petitioners are on the waiting list. USCIS, in its discretion, may authorize employment for such petitioners and qualifying family members." 8 C.F.R. § 214.14(d)(2). "Deferred action" is an act of administrative convenience that gives some cases lower priority for removal. 8 C.F.R. § 274a.12(c)(14); USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited May 5, 2025); *Velasco Gomez*, 2025 WL 1726465, at *1. Deferred action has also been described as "a form of prosecutorial discretion whereby the

Department of Homeland Security declines to pursue the removal of a person unlawfully present in the United States." *Arizona Dream Act Coal. v. Brewer*, 855 F.3d 957, 967 (9th Cir. 2017); *see also Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 484 (1999) ("AADC") (acknowledging the Executive's long history of "engaging in a regular practice. . . of exercising [its] discretion [to grant deferred action] for humanitarian reasons or simply for its own convenience").

As such, deferred action does not provide immigrant or nonimmigrant status. 8 C.F.R. § 214.14(d)(3); *see also Ariz. Dream Act Coal. v. Brewer*, 757 F.3d 1053, 1058-59 (9th Cir. 2014) (stating that deferred action "is a period of stay authorized by the Attorney General."); *United States v. Davila-Hernandez*, 2025 WL 1909582, at *3 (S.D. Tex. 2025) ("agree[ing] with the Government's reading of the relevant policy documents that the issuance of a BFD, alone, does not confer some sort of lawful status to be or remain in the United States."). As a matter of policy, USCIS only considers deferred action, rather than parole, for individuals who are placed on the waiting list while inside the United States. USCIS Policy Manual, Vol. 3, Part C, Ch. 4, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-4 (last visited May 5, 2025). In 2021, USCIS published a Policy Manual update implementing a process which provides employment authorization and deferred action more efficiently to U visa petitioners and their qualifying family members with pending bona fide petitions who merit a favorable exercise of discretion. *See* USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited on July 14, 2025). The process, referred to as the BFD process, is authorized under 8 U.S.C. § 1184(p)(6), which provides that "[t]he Secretary may grant work authorization to any alien who has a pending, bona fide application for [U] nonimmigrant status under section 1101(a)(15)(U) of this title." As part of the BFD process, USCIS has the discretion to issue work authorization and grant deferred action to a noncitizen who establishes that their pending U visa petition is "bona fide" and warrants the agency's exercise of

discretion. 8 U.S.C. § 1184(p)(6); USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited on May 5, 2025).

By implementing this policy, USCIS sought to address the U visa backlog by preliminarily evaluating petitions and providing interim benefits as efficiently as possible. *See* USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited on May 5, 2025). To make a favorable BFD finding, USCIS first determines whether a pending petition is bona fide, meaning "made in good faith; without fraud or deceit", and then in its discretion, determines whether the petitioner poses a risk to national security or public safety, and otherwise merits a favorable exercise of discretion. *See* USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited on July 14, 2025). Alternatively, if for some reason a petitioner does not receive a BFD, only then does USCIS initiate a waiting list adjudication for the principal petitioner and any qualifying family members. USCIS Policy Manual Vol. 3, Part C, Ch. 6. If a petitioner is placed on the waiting list, they receive EADs and deferred action *or* parole for four years, renewable, while their U visa petitions are pending. 8 C.F.R. § 214.14(d)(2) (emphasis added); *see also* USCIS Policy Manual, Vol. 3, Part C, Ch. 6, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-6 (last visited on May 5, 2025).

C. Relevant Facts

Maldonado is a Mexican national who has been removed from the United States at least twice pursuant to a 2009 removal order. Exhibit 1. At some point after his reinstated removal order in 2012, Maldonado reentered the United States without authorization or inspection. Ex. 1, p. 8. Maldonado asserts that he has remained in the United States since he entered in 2011. ECF No. 1, ¶ 23.

On November 2, 2021, Maldonado's minor child was a victim of a crime, qualifying her for a U visa. ECF No. 1, ¶ 25. Maldonado and his family subsequently filed a Form I-918, Petition for U Nonimmigrant Status, in May 2023. ECF No. 1, ¶ 27. On June 13, 2024, USCIS issued a favorable

BFD finding on the Form I-918. ECF No. 1, ¶ 28. And USCIS granted Maldonado deferred action and employment authorization for a period of four years. ECF No. 1, ¶ ¶ 28, 29. However, on May 23, 2025, Maldonado was encountered by ICE and his prior order of removal was reinstated. ECF No. 1, ¶ 30. He remains in ICE custody awaiting removal while this litigation is pending

D. Procedural History

On June 2, 2025, Maldonado filed a Petition for Writ of Habeas Corpus (ECF No. 1) and shortly after, a Motion for Temporary Restraining Order (ECF No. 3). The TRO requested that the Court prohibit Maldonado's removal. ECF No. 3. After hearing arguments from the parties, the Court granted the TRO, citing to a case relied on by Maldonado in post-hearing briefing, *Velasco Gomez v. Scott*, 2025 WL 1382855, at *1 (W.D. Wash., 2025). ECF No. 8. That case has since been dismissed based on the court's lack of subject matter jurisdiction to review Due Process and Administrative Procedures Act (APA) claims related to the petitioner's custody and imminent removal. *Velasco Gomez v. Scott*, 2025 WL 1726465, at *6 (W.D.Wash., 2025).

III. LEGAL STANDARD

A preliminary injunction is "an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22, 129 S.Ct. 365 (2008) (citation omitted). To maintain a permanent injunction, Maldonado must establish four criteria: "1) a substantial likelihood of success on the merits; 2) that irreparable harm would occur if a stay is not granted; 3) that the potential harm to the [immigrant] outweighs the harm to the [government] if a stay is not granted; and 4) that the granting of the stay would serve the public interest." *Anibowei v. Morgan*, 70 F.4th 898, 902 (5th Cir. 2023), cert. denied, No. 23-199 (U.S. Jan. 8, 2024) (citation omitted). If a "serious legal question" is involved, the first prong requires only "a substantial case on the merits." *Ruiz v. Estelle*, 650 F.2d 555, 565 (5th Cir. 1981).

IV. ARGUMENT

A. The Court lacks jurisdiction to halt the execution of a valid order of removal.

As an initial matter, the Court lacks subject matter jurisdiction to review Maldonado's Due Process and APA claims. "[N]o court" has jurisdiction over "any cause or claim" arising from the execution of removal orders, "notwithstanding any other provision of law," whether "statutory or nonstatutory," including habeas, mandamus, or the All Writs Act. 8 U.S.C. § 1252(g). In the exercise of its constitutional power to define federal court jurisdiction, in 1996, Congress enacted the Illegal Immigration Reform and Immigrant Responsibility Act ("IIRIRA"), which repealed the existing scheme for judicial review of final orders of deportation and replaced it with a more restrictive scheme. *See Reno v. American-Arab Anti-Discrimination Committee* (*"AADC"*), 525 U.S. 471, 474 (1999). Among the IIRIRA amendments to the INA, Congress specifically provided in the newly-enacted Section 1252(g) that no court had jurisdiction to review claims arising from the decision to execute removal orders. 8 U.S.C. § 1252(g) (1996). In the 2005 REAL ID Act, Congress amended Section 1252(g) to clarify that the statute's proscription against jurisdiction does in fact apply to habeas and mandamus actions. *See* REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231, 310-11 (amending 8 U.S.C. § 1252(g)). In *AADC*, the Supreme Court further held that Section 1252(g) precludes judicial review of three discrete actions that DHS may take: the "'decision or action' to '*commence* proceedings, *adjudicate* cases, or *execute* removal orders.'" 119 S.Ct. 936, 942, 525 U.S. 471, 482 (1999).

"It is well established that district courts do not have subject matter jurisdiction to consider any issues pertaining to an order of removal under the REAL ID Act of 2005, codified as amended at 8 U.S.C. § 1252(a)." *Bautista-Leiva v. McAleenan*, No. 4:19-CV-0877, 2019 WL 5864476, at *2–3 (S.D. Tex. Nov. 8, 2019); *see e.g.*, *Onamuti v. I.C.E.*, No. 3:23-CV-331-L-BH, 2023 WL 2958476, at *1 (N.D. Tex. Mar. 14, 2023), report and recommendation adopted, No. 3:23-CV-331-L-BH, 2023 WL 2958472

(N.D. Tex. Apr. 13, 2023); *M.P.G. v. U.S. Dep't of Homeland Sec.*, No. EP-21-CV-00010-DCG, 2021 WL 232133, at *3 (W.D. Tex. Jan. 21, 2021). As a result, this Court lacks jurisdiction to review the decision to execute Maldonado's reinstated order of removal whether for Due Process violations or under the APA.

Moreover, to the extent that Maldonado challenges his removal order, a petition for review before the Fifth Circuit is the proper remedy. "The IIRIRA substantially limited the availability of judicial review and streamlined all challenges to a removal order into a single proceeding: the petition for review." *Nken v. Holder*, 556 U.S. 418, 424 (2009) (citing 8 U.S.C. § 1252(a)(2) (barring review of certain removal orders and exercises of executive discretion); Section 1252(b)(3)(C) (establishing strict filing and briefing deadlines for review proceedings); Section 1252(b)(9) (consolidating challenges into petition for review). "A petition for review filed *with an appropriate court of appeals* in accordance with this section shall be the sole and exclusive means for judicial review of an order of removal." 8 U.S.C. § 1252(a)(5) (emphasis added). Accordingly, this Court would not have subject matter jurisdiction to consider any request by Maldonado to review the validity of his removal order.

C. Maldonado is unlikely to succeed on the merits because the grant of deferred action does not prevent his removal.

In addition to the lack of subject matter jurisdiction, a preliminary injunction is also improper here because Maldonado cannot establish that he is likely to succeed on the merits of his claims. First, Maldonado's pending Form I-918 as a beneficiary does not preclude his removal from the United States. 8 C.F.R. § 214.14(c)(1)(ii). "The filing of a petition for U–1 nonimmigrant status has no effect on ICE's authority to execute a final order, although the alien may file a request for a stay of removal…." 8 C.F.R. § 214.14(c)(1)(ii). The Motion for Preliminary Injunction does not provide any authority to dispute this. Second, Maldonado is unlikely to succeed on his claim that his ongoing detention violates Due Process based on his grant of a BFD and deferred action.

Maldonado's assertion that his detention despite the grant of deferred action violates his due process rights or the APA is not supported by law. A grant of BFD deferred action is not synonymous with a stay of removal. *See Raghav v. Jaddou*, No. 2:25-cv-00408, 2025 WL 373638, at *2 (E.D. Cal. Feb. 3, 2025) ("Plaintiff obtaining a BFD in his favor would not prevent his removal"); *see also* "New Classification for Victims of Criminal Activity; Eligibility for 'U' Nonimmigrant Status, 72 Fed. Reg. 53014, 53016 n.3 (Sept. 17, 2007) (defining "deferred action" and "a stay of deportation or removal" separately and distinctly in the U visa context); 8 U.S.C. § 1227(d)(2) (listing deferred action and a stay of removal as distinct benefits). Rather, deferred action is an act of administrative convenience that gives some cases lower priority for removal. 8 C.F.R. § 274a.12(c)(14); USCIS Policy Manual, Vol. 3, Part C, Ch. 5, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited on May 5, 2025. Additionally, the Supreme Court has made it clear that "an agency's decision not to prosecute or enforce, whether through civil or criminal process, is a decision generally committed to an agency's absolute discretion." *Heckler v. Chaney*, 470 U.S. 821, 831 (1985).

Further review of authority related to deferred action defeats Maldonado's contention that it protects him from removal. In the preamble to the 2007 rulemaking which created the U regulations, stays of removal were distinguished from deferred action as follows:

> A stay of deportation or removal is an administrative decision to stop temporarily the deportation or removal of an alien who has been ordered deported or removed from the United States. See 8 CFR 241.6; 8 CFR 1241.6. **Deferred action is an exercise of prosecutorial discretion that defers the removal of the alien based on the alien's case being made a lower priority for removal.** Immigration and Customs Enforcement, Department of Homeland Security, Detention and Deportation Officer's Field Manual, ch. 20.8 (2005). **Deferred action does not confer any immigration status upon an alien.**

72 Fed. Reg. 53014, 53016 n.3 (Sept. 17, 2007) (emphasis added). Similarly, the USCIS Policy Manual describes the use of deferred action in the BFD context:

> Once USCIS has determined a petition is bona fide, USCIS determines whether the petitioner poses a risk to national security or public safety by reviewing the results of background checks, and considers other relevant discretionary factors. **USCIS then determines whether to exercise its discretion to issue a BFD EAD and grant deferred action to a petitioner.**

Volume 3, Part C, Ch. 5, available at: https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5 (last visited July 14, 2025) (emphasis added). The Policy Manual also defines deferred action similarly to the 2007 rule: "an exercise of prosecutorial discretion to make an alien a lower priority for removal from the United States." *Id.* Additionally, "USCIS reserves the right to revoke the BFD EAD and terminate the grant of deferred action at any time if it determines the BFD EAD or favorable exercise of discretion are no longer warranted, or the prior BFD EAD and deferred action were granted in error." *Id.* This framework shows that deferred action does not by itself constitute a stay of removal, and Maldonado has not otherwise presented authority stating that a grant of BFD-related deferred action precludes ICE from exercising its statutory authority to execute a final order.

To the extent that Maldonado seeks judicial review of ICE's discretionary denial of his application for an administrative stay of removal, this Court also lacks subject matter jurisdiction under the APA. 8 U.S.C. § 1252(a)(2)(B)(ii). A stay of removal pending a decision on an application for a U visa is provided for in 8 C.F.R. 214.14(c)(1)(ii), which provides that "[t]he filing of a petition for U-l nonimmigrant status has no effect on ICE's authority to execute a final order, although the alien may file a request for a stay of removal[.]" 8 C.F.R. 214.14(c)(1)(ii). Accordingly, district courts have rejected arguments to stay or delay removals pending an application for a U Visa or other form of relief. *See e.g.*, *Mohumud v. Joyce*, No. EP-18-CV-00102-DCG, 2018 WL 1547848 (W.D. Tex. Mar. 29, 2018) ("[T]he REAL ID Act stripped this Court of jurisdiction to decide Petitioner's request for a stay of removal and TRO," and "this prohibition also strips the Court of jurisdiction to hear Petitioner's claims under the APA and the Declaratory Judgment Act."); *Rathod v. Barr*, No. 1:20-CV-161-P, 2020 WL 1492790, at *2 (W.D. La. Mar. 5, 2020), report and recommendation adopted, No. 1:20-CV-161-

P, 2020 WL 1501891 (W.D. La. Mar. 25, 2020) (rejecting petitioner's request to enjoin removal while his application for a U visa is pending in light of 8 C.F.R. § 214.14.); *Hernandez-Esquivel v. Castro*, No. 5-17-CV-0564-RBF, 2018 WL 3097029, at *3 (W.D. Tex. June 22, 2018) (noting that petitioner's reinstated removal order governed, notwithstanding his pending request for relief under the Convention Against Torture or his U visa application). Thus, Maldonado's claims are unlikely to succeed on the merits of his claims.

D. Maldonado has not shown irreparable harm.

Maldonado has not demonstrated that he will suffer irreparable injury unless an injunction against his removal is granted. Merely showing a "possibility" of irreparable harm is insufficient. *See Winter*, 555 U.S. at 22. "Issuing a preliminary injunction based only on a possibility of irreparable harm is inconsistent with [the Supreme Court's] characterization of injunctive relief as an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." *Winter*, 555 U.S. at 22. Maldonado asserts that his removal would cause irreparable harm due to the loss of financial support for his family and loss of opportunity for statutory protection. Motion, ECF No. 13, p. 11. "Although removal is a serious burden for many [noncitizens], it is not categorically irreparable." *Nken v. Holder*, 556 U.S. 418, 435 (2009)). And even if Maldonado is removed, Maldonado and his child's Form I-918 will not be affected. He may seek a U-visa while outside of the United States, because her Form I-918 will be adjudicated when a nonimmigrant U visa becomes available consistent with the statutory cap. *See* USCIS Policy Manual, Vol. 3, Part C, Ch. 7, *available at* https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-7 (last visited July 14, 2025) (stating that "qualifying family members may then seek admission to the United States as U nonimmigrants at a designated port of entry").

E. The balance of equities and public interest favor the Government.

Finally, the balance of equities and the public interest weigh against Maldonado's request for preliminary injunctive relief. The balance of equities and the public interest "merge" when a plaintiff seeks an injunction against the government. *Nken v. Holder*, 556 U.S. at 435. The third and fourth factor favor Respondents because Maldonado is ultimately asking the Court to enjoin the enforcement of a lawful and final removal order. It is well settled that the public interest in enforcement of United States' immigration laws is significant. *See, e.g., United States v. Martinez-Fuerte*, 428 U.S. 543, 556-58 (1976); *Blackie's House of Beef, Inc. v. Castillo*, 659 F.2d 1211, 1221 (D.C. Cir. 1981) ("The Supreme Court has recognized that the public interest in enforcement of the immigration laws is significant.") (citing cases); *see also Nken*, 556 U.S. at 435 ("There is always a public interest in prompt execution of removal orders). Thus, these factors weigh in favor of the Respondents.

V. CONCLUSION

For these reasons, Maldonado has not satisfied the high burden of establishing entitlement to preliminary injunctive relief. Thus, the Court should deny his Motion for a Preliminary Injunction.

Dated: July 14, 2025

Respectfully submitted,

NICHOLAS J. GANJEI
United States Attorney

By: */s/ Lisa Luz Parker*
Lisa Luz Parker, Attorney-in-Charge
Assistant United States Attorney
Texas Bar No. 24099248
Southern District No. 3495931
1000 Louisiana, Suite 2300
Houston, Texas 77002
Tel: (713) 567-9489
Fax: (713) 718-3303
E-mail: lisa.luz.parker@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on July 14, 2025, the foregoing was filed and served on counsel of record through the Court's CM/ECF system.

/s/ Lisa Luz Parker
Lisa Luz Parker
Assistant United States Attorney