



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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June 17, 2025

By ECF

The Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Valdez v. Joyce*, No. 25-cv-4627 (GBD)

Dear Judge Daniels:

This Office represents the government in the above-referenced habeas corpus action. I write respectfully to advise the Court of a decision issued yesterday evening in another habeas corpus action that is relevant to the detention claim in this matter.

In *Castillo Lachapel v. Joyce*, the petitioner was also detained pursuant to 8 U.S.C. § 1226(a), having been arrested by ICE on June 4, 2025, after his immigration court hearing. The Court denied the petition without prejudice, holding that, because the petitioner had been detained for less than two weeks, the petitioner must first exhaust his administrative remedies by seeking a custody redetermination hearing before the immigration court.¹ *See Castillo Lachapel v. Joyce*, No. 25 Civ. 4693 (JHR), 2025 WL 1685576 (S.D.N.Y. June 16, 2025) (a copy of the opinion is attached to this letter). The Court held that the authorities cited by the petitioner did not compel a different outcome, and if the petitioner remained detained despite the custody redetermination hearing before an immigration judge and any appeal to the BIA, then he could file another habeas petition to challenge his detention.

Similarly, in this case, the petitioner is currently detained pursuant to 8 U.S.C. § 1226(a), having been arrested by ICE a little more than two weeks ago. To date, he has not sought a custody redetermination hearing before an immigration judge, and thus, has not exhausted his administrative remedies. This Court should require that he do so.

¹ In *Castillo Lachapel*, the separate challenges related to removal proceedings were moot.

I thank the Court for its consideration of this submission.

Respectfully submitted,

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