

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MILTON MISAEEL PEREZ Y PEREZ,

Petitioner,

v.

DONALD J. TRUMP, *et al.*,

Respondents.

Case No. 25 Civ. 4828 (DEH)

**RETURN TO AMENDED
HABEAS PETITION**

Under 28 U.S.C. § 2243, the government respectfully submits this Return, together with the accompanying Memorandum of Law in opposition to the Amended Petition for Writ of Habeas Corpus (“Petition”), filed by petitioner Milton Misael Perez y Perez, and the Declaration of Mayra Pardo-Figueroa dated September 3, 2025. The attached documents are taken from Perez y Perez’s administrative file, as maintained by and provided to this Office by U.S. Immigration and Customs Enforcement.

1. Exhibit A is a copy of the Notice to Appear, dated March 28, 2019.
2. Exhibit B is a copy of the Form I-261 dated April 25, 2019, that amended the March 28, 2019, Notice to Appear.
3. Exhibit C is a copy of the Order of the Immigration Judge dated November 19, 2019, denying Perez y Perez’s application for asylum and withholding of removal, and ordering Perez y Perez removed to Guatemala.
4. Exhibit D is a copy of the September 22, 2020, Order of the Board of Immigration Appeals (“BIA”) dismissing Perez y Perez’s appeal of the Immigration Judge’s order of removal and the denial of his application for asylum and withholding of removal.

5. Exhibit E is a copy of the March 30, 2022, order of the United States Court of Appeals for the Ninth Circuit administratively closing Perez y Perez's petition for review of the BIA decision.

6. Exhibit F is a copy of the Order of Release on Recognizance materials served on Perez y Perez on November 22, 2019.

7. Exhibit G is a copy of the Form I-205 Warrant of Removal and the associated Form I-294 Warning to Alien Ordered Removed or Deported served on Perez y Perez on June 7, 2025.

8. The facts contained in Exhibits A through G, and in the June 10, 2025, Declaration of Deportation Officer Gilbert Beriso, the September 3, 2025, Declaration of Mayra Pardo-Figueroa, and the law set forth in the government's memorandum of law in opposition to the Amended Petition, establish that Perez y Perez's detention is lawful.

WHEREFORE, the government respectfully requests that the Court enter judgment denying the Amended Petition.

Dated: New York, New York
September 3, 2025

Respectfully submitted,

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Southern District of New York
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