

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

KHALED SALAH ABU-HAMDAH, §

Petitioner, §

v. §

CASE NO. 1:25-cv-0142

MIGUEL VERGARA, §  
ACTING DIRECTOR OF §  
SAN ANTONIO FIELD OFFICE, §  
U.S. IMMIGRATION AND CUSTOMS §  
ENFORCEMENT, §  
SAN ANTONIO, TX, *et al.*, §

Respondents. §

**SUPPLEMENT TO MOTION TO DISMISS PETITION FOR WRIT OF  
HABEAS CORPUS, OR ALTERNATIVELY, MOTION FOR SUMMARY  
JUDGMENT**

Federal Respondents<sup>1</sup> file this supplement to the Motion to Dismiss the Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241, (ECF 12).

As indicated in the Executed Warrant of Deportation/Removal, the Petitioner, Khaled Salah Abu-Hamda, was removed from the United States on August 30, 2025. Gov't Exhibit 4, Executed Warrant of Removal. Therefore, Petitioner's claim of unlikely removal in the reasonably foreseeable future is moot. Accordingly, the Court should grant Defendant's motion to dismiss (ECF 12) and dismiss the Petitioner's writ of habeas

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<sup>1</sup> The proper respondent in a habeas petition is the person with custody over the petitioner. 28 U.S.C. § 2242; see also § 2243; *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). That said, it is the originally named federal respondents, not the named warden in this case, who make the custodial decisions regarding aliens detained in immigration custody under Title 8 of the United States Code.

United States Attorney

By: /s/ Catina Haynes Perry  
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Attorney for Respondents

**CERTIFICATE OF SERVICE**

I certify that, on November 12, 2025, the foregoing notice was filed with the Court through the Court CM/ECF system on all parties and counsel registered with the Court CM/ECF system.

/s/ Catina Haynes Perry  
Catina Haynes Perry  
Assistant United States Attorney