

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

KHALED SALAH ABU-HAMDAH, §
§
Petitioner, §
§
v. §
§
MIGUEL VERGARA, §
§
ACTING DIRECTOR OF §
§
SAN ANTONIO FIELD OFFICE, §
§
U.S. IMMIGRATION AND CUSTOMS §
§
ENFORCEMENT, §
§
SAN ANTONIO, TX, *et al.*, §
§
Respondents. §

CASE NO. 1:25-cv-0142

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

Federal Respondents¹ 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-Hamdah, 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

¹ 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

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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