

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

FRICO JEAN)	CIVIL ACTION NO. 25-cv-00970
)	
VERSUS)	JUDGE CAIN
)	
BRYAN PATTERSON ET AL)	MAGISTRATE JUDGE AYO
)	

**ANSWER AND RETURN TO PETITION
FOR A WRIT OF HABEAS CORPUS**

Federal Respondents, in their official capacities, in response to the application for a writ of *habeas corpus* filed by the Petitioner, Frico Jean, do hereby allege and aver as follows:

ADMITTED FACTS

Those facts set forth within the Memorandum of Law, filed contemporaneously with this Answer, are incorporated and alleged herein by reference.

FIRST DEFENSE

The jurisdiction of this Court extends solely to Frico Jean's pure claim relating to his continued detention by the United States Immigration and Customs Enforcement.

SECOND DEFENSE

Frico Jean has failed to state a claim upon which relief can be granted. More particularly, Frico Jean has failed to establish that there is no significant likelihood of his removal in the reasonably foreseeable future.

THIRD DEFENSE

Frico Jean is a native and a citizen of Haiti ordered removed from the United States of America as inadmissible for failure to possess a valid immigrant visa, border crossing identification card, or reentry permit. 8 U.S.C. § 1182(a)(7)(A)(i)(I). Jean is subject to mandatory detention. 8 U.S.C. § 1231(a)(6). Haiti has issued a travel document for Petitioner and his removal is likely in the reasonably foreseeable future. Thus, the continued detention of Frigo Jean pending the resolution of his application for TPS or his removal from the United States of America comports with all statutory and regulatory provisions governing the detention of aliens pending removal from the United States of America.

FOURTH DEFENSE

All allegations of fact not otherwise admitted to or conceded within this answer or the attached memorandum in support of this answer are denied.

WHEREFORE, it is prayed that this answer and return to the application for the issuance of a writ of *habeas corpus* filed by Frigo Jean be deemed sufficient and, after due proceedings are had and for the reasons set forth within the Memorandum of Law filed with this answer, the petition should be dismissed with prejudice. It is further prayed that all legal and equitable relief that the named Respondents may otherwise be entitled to issue forthwith.

Respectfully submitted,

ALEXANDER C. VAN HOOK
Acting United States Attorney

BY: s/ Karen J. King
KAREN J. KING (#23508)
Assistant United States Attorney
Western District of Louisiana
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618
Facsimile: (337) 262-6693
Email: karen.king@usdoj.gov