

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Pablo Jose Valles Chirinos,

Petitioner,

v.

PATRICIA HYDE, Acting Director of Boston  
Field Office, United States Immigration and  
Customs Enforcement, et al.,

Respondents.

Civil Action No. 25-cv-11641-AK

**STATUS REPORT**

Respondents provide the following information in response to Judge Stearns' Emergency Order Concerning Stay of Transfer or Removal. Doc. No. 2.

- Petitioner was arrested and detained by U.S. Immigration and Customs Enforcement on May 27, 2025 and taken to ICE's Enforcement and Removal Operation's Burlington, Massachusetts field office. Doc. No. 1, ¶ 1.
- Petitioner was transferred to the Plymouth County Correctional Facility on May 29, 2025. *Id.*, ¶ 12.
- ICE has informed the undersigned that Petitioner, along with approximately 100 other detainees, were transferred from Plymouth County Correctional Facility on June 5, 2025 due to bed space constraints.
- Further, ICE has informed the undersigned that Petitioner and these other detainees departed Massachusetts on a flight that took off at 4:00PM on June 5, 2025.
- Petitioner filed his Habeas Petition with this Court at 7:40PM on June 5, 2025. Doc. No. 1.
- Judge Stearns issued his Emergency Order at 8:05 PM on June 5. Doc. No. 2. The U.S. District Court's Chief Deputy Clerk provided Petitioner's Habeas Petition and Judge Stearns' Emergency Order to the U.S. Attorney's Civil Division duty attorney at 8:19 PM on June 5. The duty attorney provided the Petition and the Emergency Order to ICE at 8:47 PM.
- ICE has informed the undersigned that Petitioner was in ICE custody in San Antonio, TX at the time the Petition was filed.

- The ICE detainee locator website lists Petitioner's detention location as the Adams County Detention Center, 20 Hobo Fork Road, Natchez, MS 39120.

If Petitioner does not dismiss this Petition or ask the Court to transfer the action to the U.S. District Court for the Western District of Texas, upon verification of the above information, Respondents intend to argue that this Court lacks jurisdiction over this matter as Petitioner was not present in the District of Massachusetts when he filed the Petition on June 5, 2025. *See Vasquez v. Reno*, 233 F.3d 688, 690 (1st Cir. 2000) (Explaining that “an alien who seeks a writ of habeas corpus contesting the legality of his detention by the [ICE] normally must name as the respondent his immediate custodian, that is, the individual having day-to-day control over the facility in which he is being detained.”); *Ozturk v. Trump*, No. 25-CV-10695-DJC, 2025 WL 1009445, at \*11 (D. Mass. Apr. 4, 2025) (Transferring petition to District of Vermont as petitioner was in Vermont, not Massachusetts, when petition was filed.); *Tham v. Adducci*, 319 F. Supp. 3d 574, 577 (D. Mass. 2018) (Holding that “jurisdiction lies in only one district: the district of confinement.”); *Kantengwa v. Brackett*, No. 19-CV-12566-NMG, 2020 WL 93955, at \*1 (D. Mass. Jan. 7, 2020) (“Because the District of Massachusetts is not the district of Kantengwa’s confinement, jurisdiction is lacking.”); *Hernandez v. Lyons*, 1:19-cv-10519-DJC, ECF No. 18 (D. Mass. Oct. 11. 2019) (Allowing motion to dismiss as habeas petitioner “was not in the district when he filed or was pursuing this Petition as is required.”).

Respectfully submitted,

LEAH B. FOLEY  
United States Attorney

Dated: June 6, 2025

By: /s/ Mark Sauter  
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**CERTIFICATE OF SERVICE**

I, Mark Sauter, Assistant United States Attorney, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: June 6, 2025

By: /s/ Mark Sauter  
Mark Sauter  
Assistant United States Attorney