

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

FRANCISCO BRITO MATOM,

Petitioner,

v.

Case No. 2:25-cv-648-JES-NPM

MATTHEW MORDANT, Warden,
GARRETT RIPA, Miami Field Office
Director, U.S. Immigration and
Customs Enforcement (“ICE”), KRISTI
NOEM, Secretary, Department of
Homeland Security (“DHS”), and
PAMELA BONDI, United States
Attorney General, (all official capacity),

Respondents.

_____ /

Unopposed Motion to Leave to File Supplemental Briefing

The Federal Respondents Garrett Ripa, Kristi Noem, and Pam Bondi move for supplemental briefing on jurisdiction.¹ Petitioner Francisco Brito Matom does not oppose the relief sought.

The parties briefed this habeas action. (Docs. 1; 9). Since then, two developments occurred—Brito Matom’s (1) transfer from Alligator Alcatraz (“AA”) and (2) identification as a class representative in *C.M. v. Noem*, 2:25-cv-747-SPC-KCD (M.D. Fla.). Each event at least partly eliminated the Court’s jurisdiction.

First, on August 18, Respondents transferred Brito Matom to its El Paso

¹ Respondents are unsure who Matthew Mordant is or whether he is a federal official.

Processing Center in El Paso, Texas. *See* (Ex. 1).² He is currently at that facility. (*Id.*). Respondents transferred Brito Matom to El Paso for the filing of his Notice to Appear (“NTA”) and commencement of formal removal proceedings under 8 U.S.C. § 1229a. 8 C.F.R. § 1003.14(a). To the extent that Brito Matom seeks injunctive or declaratory relief related to AA, his transfer renders that relief moot and he lacks standing.

Second, ICE learned that Brito Matom is a named Plaintiff and class representative in *C.M.*—a pending class action related to AA. (*C.M. Doc. 89 at 1*). Two weeks ago, Respondents specifically argued that any duplicative relief would need to get dismissed or stayed if the event that Brito Matom was held a class member. (*Doc. 9 at 7-9*). At that time, he was a named class representative participating in those proceedings. (*C.M. Doc. 28 at 14*; *C.M. Doc. 29-1*); *but see* M.D. Fla. Local R. 1.07(c) (mandating “duty to file promptly” a notice of related action). Regardless, the Court cannot exercise jurisdiction over any portion of this individual action that could relate an ongoing Rule 23(b)(2) class action.

Given these significant jurisdictional concerns that arose since briefing, Respondents seek an opportunity to state their position. They request each party file a supplemental brief on these issues not to exceed seven pages by August 29.

Local Rule 3.01(g) Certification

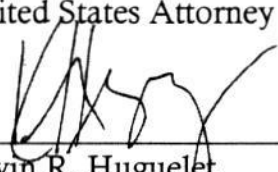
The parties conferred. Petitioner does not oppose the relief requested.

² This is a search result printout for Brito Matom on ICE’s publicly available detainee locator tool. It is a Government website entitled to judicial notice. *E.g.*, *Lamonte v. City of Hampton, Ga.*, 576 F. Supp. 3d 1314, 1327 n.12 (N.D. Ga. 2021).

Date: August 22, 2025

Respectfully submitted,

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Search Results: 1

FRANCISCO BRITO MATOM

Country of Birth : Guatemala

A-Number: [REDACTED]

Status : In ICE Custody

State: TX

Current Detention Facility: EL PASO PROCESSING CENTER

** Click on the Detention Facility name to obtain facility contact information*

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