

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT OWENSBORO

YULIETH GOMEZ MEJIA

PETITIONER

v.

NO. 4:25-CV-82-RGJ

KRISTI NOEM, in her Official Capacity as
Secretary, Department of Homeland Security;
TODD LYONS, in his Official Capacity as
Acting Director, U.S. Immigration and
Customs Enforcement;
PAM BONDI, in her Official Capacity as
Attorney General of the United States; and
JASON WOOSLEY, in his Official Capacity as
Grayson County Jailer

RESPONDENTS

**RESPONDENTS' REPLY BRIEF IN SUPPORT OF MOTION FOR EXTENSION OF
TIME TO RESPOND TO PETITIONER'S POST-HEARING BRIEF**

Respondents, Kristi Noem, in her official capacity as Secretary for the Department of Homeland Security, and Todd Lyons, in his official capacity as Acting Director for U.S. Immigration and Customs Enforcement (ICE), and Pam Bondi, in her official capacity as Attorney General of the United States for their reply brief in support of their motion for extension of time to file their response to Petitioner's post-hearing brief state as follows.

The undersigned was originally provided a copy of the August 22, 2025, Notice to Appear ("NTA") and informed that in-person service was perfected upon Petitioner at the Grayson County Detention Center. The August NTA was presented to the Court for the sole purpose of informing that Petitioner was moving from the expediated removal process to a formal removal proceeding under 8 U.S.C. § 1225(b)(2) and 8

U.S.C. § 1229a, with the understanding that Petitioner would soon appear before the immigration court. [Doc. 13, PageID#137, 156-57]. The undersigned was later informed that the immigration court proceeding did not occur as anticipated. That information was likewise conveyed to the Court in response to one of Petitioner's motions. [Doc. 18, PageID#187 at FN 2]. Petitioner was subsequently served an NTA on September 10, 2025, and formal administrative removal proceedings have since commenced before the immigration court. Contrary to Petitioner's suggestions, there was never an intent to mislead the Court. Information was provided to the Court as it was provided to the undersigned.

Petitioner challenged service of the August NTA at the September 24, 2025, evidentiary hearing where she testified that she was never served with an NTA prior to September 10, 2025. [Doc. 24, PageID#234.]. Thereafter, in her post-hearing brief, Petitioner characterized Respondents' representations about the August NTA as a "blatant misrepresentation to this Court," emphasizing her claim that she was never served. [Doc. 27, PageID#281.] While Respondents do not believe the August NTA is relevant to any material issues to be decided by the Court, the Respondents wanted to address Petitioner's accusation in their post-hearing brief. Because information sufficient to address the strongly worded claim of misrepresentation was not available by Respondent's filing deadline, a modest request for an extension was made to permit the undersigned additional time to consult with their client and to try and discover the source of the discrepancy.

Petitioner's September 29, 2025, post-hearing brief, accusing Respondents of attempting to mislead this Court on this collateral matter, triggered the need to further investigate the disagreement. Unfortunately, even with the short extension of time, Respondents are unable to reconcile this discrepancy. The communications and documents that might lead to the answer to this disagreement have been unsuccessfully searched for in ICE's systems and at the Grayson County Detention Center.

WHEREFORE Respondents respectfully request that the Court grant the current motion and accept the brief filed on October 7 as timely.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2025, I filed this document via CM/ECF, which will automatically provide service to all counsel of record.

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/s/ Michael D. Ekman
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