

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**K-S-**

**Petitioner,**

**v.**

**Civil No. 1:25-cv-288-SE-AJ**

**E.L. TATUM, JR.**, Warden of the Federal Correctional Institute, Berlin; **PATRICIA H. HYDE**, Acting Field Office Director of the Immigration and Customs Enforcement, Enforcement and Removal Operations, Boston Field Office; **TODD LYONS**, Acting Director, U.S. immigration and Customs Enforcement; **KRISTI NOEM**, Secretary of the U.S. Department of Homeland Security; **PAMELA BONDI**, U.S. Attorney General;

**Respondents.**

**RESPONDENTS' STATUS REPORT**

Federal Respondents file this status report to inform the Court that on August 20, 2025, Petitioner was inadvertently transferred from FCI Berlin to the ICE office in Burlington, Massachusetts. Upon realizing that this should not have occurred, Petitioner was promptly returned to FCI Berlin.

The transfer out of FCI Berlin was initiated due to a conflict between Petitioner and another detainee. The transport team departed FCI Berlin with Petitioner on August 20, 2025, at approximately 1:00 p.m. and arrived in Burlington at approximately 4:00 p.m., whereupon ERO soon realized that Petitioner should not have been transferred out of New Hampshire. Thereafter, the transport was turned around to return to FCI Berlin. Petitioner arrived back at FCI Berlin on August 20, 2025, at approximately 7:45 p.m.

It is undersigned counsel's understanding that FCI Berlin (not ICE/ERO) has recommended that Petitioner be transferred to a different facility. Should FCI Berlin determine that it can no longer accommodate Petitioner due to safety/institutional concerns, Respondents will identify alternative placement options and seek Court approval prior to any transfer.

Dated: August 21, 2025

Respectfully submitted,

ERIN CREEGAN  
United States Attorney

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