UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

K-S- **Petitioner,** **v.** **E.L. TATUM, JR.,[1] 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.**	**Civil No. 1:25-cv-288-SE-AJ**

FEDERAL RESPONDENTS' NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1291, Federal Respondents hereby appeal to the United States Court of Appeals for the First Circuit from the Court's December 17, 2025, Memorandum and Order granting the Petitioner's Petition for Writ of Habeas Corpus (ECF No. 25) and the February 11, 2026, Endorsed Order dismissing the case, as well as any other Orders and Opinions incorporated in those identified above. *See* Fed. R. App. 3(c).

1 So named in the Petition; the current Acting Warden of FCI Berlin is Andrew Ackley. *See* Fed. R. Civ. P. 25(d) ("[W]hen a public officer who is a party in an official capacity . . . ceases to hold office while the action is pending[, t]he officer's successor is automatically substituted as a party.")

February 13, 2026

Respectfully submitted,

ERIN CREEGAN
United States Attorney

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