

REGIS FERNANDEZ
7 FEDERAL SQUARE
NEWARK, NJ 07102
regisfernandez@aol.com
973 297 0002 Tele
201 787 5584 (cell)

August 18, 2025

Via Electronic Filing

Hon. Katharine S. Hayden, U.S.D.J.
US District Court for the District of New Jersey
50 Walnut Street, Room 4015
Newark, NJ 07102

Re: RIVERA ZUMBA vs. ALINA HABBA, et al., 2:25-cv-14626 (KSH) A209-465-372
PETITIONER'S POSITION REGARDING THIS COURT'S JURISDICTION

Dear Judge Hayden:

I represent the Petitioner with regards to her habeas petition which was filed around 1:30pm on Thursday, August 14, 2025. Your Honor has allowed me to provide a submission to the Court by noon today regarding the issue of this court's jurisdiction.

With regards to jurisdiction, we respectfully submit that this Court has jurisdiction over this matter. As Respondent indicated at Thursday's conference, the Petitioner was in transit to a detention facility in California, with one stop, at the time that the habeas was filed. I have been unable to speak to my client since. However, I have spoken to her son, John Guaman, who informed me that she was in Louisiana by Thursday night, the day that the habeas was filed, and I spoke to him again today, and he informs me that he spoke to his mother yesterday, Sunday, August 18, 2025, and that she told him that she arrived at her final destination an ICE facility at Adelanto, California, yesterday. Thursday night, after filing the habeas, the ICE locator webpage indicated she was in Louisiana and today I see that her location was changed to California. In Munoz-Saucedo v. Pittman, NO. 25-2258, 2025 WL 1750346 Judge O'Hearn of the New Jersey District Court held that the Court possesses jurisdiction in cases where the petitioner "is held in an undisclosed location by an un known custodian"... "since it is impossible to apply the immediate custodian and district of confinement rules." Id. Accordingly, we submit that naming the more remote custodian, the Secretary of Homeland Security, etc., satisfies the statutory requirement under the "unknown custodian/unknown location" rule.

Sincerely,

s/Regis Fernandez

Regis Fernandez, Esq.

Encl.