



U.S. Department of Justice

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BY ECF

Honorable Esther Salas, U.S.D.J.
United States District Court
Martin Luther King Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: *Muntean v. Noem, et al.*, Civil No. 25-14868 (ES)
Second Letter Supplementing Answer to Habeas Petition**

Dear Judge Salas:

This Office represents Respondents in the above habeas matter filed by Petitioner Ioan Muntean, a native and citizen of Romania who is currently detained by U.S. Immigration and Customs Enforcement (“ICE”) pursuant to a final order of removal. We respectfully write to supplement Respondents’ answer to the habeas petition (ECF No. 6), and prior letter supplementing the answer to the petition (ECF No. 9).

Earlier today, ICE informed our Office that Germany is no longer willing to accept Petitioner for removal. ICE also indicated that its Enforcement and Removal Operations, Removal and International Operations Unit has reached out to the U.S. Department of State (“State”) for assistance identifying an alternate third country for removal. According to ICE, State has not yet responded to the request.

We provide this letter to promptly supplement Respondents’ prior briefing due to the intervening change in circumstances regarding removal to Germany. At the same time, Respondents respectfully maintain that Petitioner’s detention pursuant to 8 U.S.C. § 1231(a)(6) is not unconstitutionally prolonged under *Zadvydas v. Davis*, 533 U.S. 678 (2001), because Petitioner is still within the presumptively reasonable six-month period and ICE is actively engaged in efforts to facilitate Petitioner’s removal to a third country that will accept him. *See* ECF No. 6, at 9-12.

We thank the Court for its attention to this matter.

Respectfully submitted,

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cc: Counsel of Record (by ECF)