



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

November 9, 2025

By ECF

The Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *G.F.F. v Francis, et al.*, 25 Civ. 7368 (JGK)

Dear Judge Koeltl:

This Office represents the respondents (the “Government”) in the above-referenced habeas corpus action. I write in response to Petitioner’s November 7, 2025, letter notifying the Court of Petitioner’s transfer and requesting a conference, ECF No. 15 (“Petitioner’s Letter”). The Government does not believe that a conference is necessary at this time, as the parties’ written submissions provide sufficient information for the Court to address the pending habeas petition; Petitioner’s Letter neither seeks any additional relief nor explains what further relevant information might be elucidated through a conference. Further, for the reasons explained below, Petitioner’s recent transfer does not alter the fact that he does not meet the standard for interim release pending the outcome of this case, for the reasons explained in the Government’s Memorandum of Law in Opposition to the Petition for a Writ of Habeas Corpus (“Government’s Brief” or “Gov. Br.”). *See* ECF No. 10, at 19-20.

The habeas petition commencing this action was filed on September 5, 2025, ECF No. 1; the Government filed its opposition briefing on September 22, 2025, ECF Nos. 8-10; and Petitioner filed a reply on October 4, 2025, ECF No. 13. ICE has informed my Office that, as noted in Petitioner’s Letter, Petitioner was recently transferred from Orange County Jail (“OCJ”) to a detention facility in Louisiana. ICE has further informed my Office that this transfer was due to the need to create additional bedspace at OCJ, and it does not reflect any effort to remove Petitioner from the United States while his removal proceedings are pending.

Petitioner’s Letter argues, in sum and substance, that Petitioner’s transfer from OCJ supports his pending request for interim release under *Mapp v. Reno*, 241 F.3d 221 (2d Cir. 2001). It does not. As explained in the Government’s Brief, *see* Gov. Br. at 19, the Court’s power to grant bail to a detained alien in immigration proceedings “is a limited one, to be exercised in special cases only.” *Mapp*, 241 F.3d at 226. “The petitioner must demonstrate that the habeas petition raise[s] substantial claims and that extraordinary circumstances exist[] that make the grant of bail necessary to make the habeas remedy effective,” *id.* (internal quotation marks omitted), and here Petitioner has made no such showing, *see* Gov. Br. at 19-20. Petitioner’s transfer does not alter the fact that this Court can grant habeas relief, if warranted, even though Petitioner has been

transferred to a facility in Louisiana, and thus release by this Court is unnecessary to render the habeas remedy effective here. *See Khalil v. Joyce*, 771 F. Supp. 3d 268, 279 (S.D.N.Y. 2025) (a petitioner's relocation after a petition properly filed in the district of confinement does not deprive a district court of jurisdiction). Accordingly, G.F.F.'s transfer does not render him entitled to the extraordinary interim relief he seeks.

I thank the Court for its attention to this matter.

Respectfully submitted,

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cc: Counsel of Record (by ECF)