

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HELEN SARAHI FUNES GAMEZ,

Petitioner,

v.

LaDeon FRANCIS, in his official capacity as Acting Field Office Director of New York, Immigration and Customs Enforcement; Kristi NOEM in her official capacity as Secretary of Homeland Security; Pam BONDI, in her official capacity as Attorney General of the United States, in their official capacities,

Respondents.

Case No. 25 Civ. 7429 (PAE)

RETURN TO HABEAS PETITION

Under 28 U.S.C. § 2243, the government respectfully submits this Return; the Declaration of Stephen Daniel Allport; and the accompanying Memorandum of Law in opposition to the Petition for Writ of Habeas Corpus (“Petition”), filed by petitioner Helen Sarahi Funes Gamez (“Petitioner”) (ECF No. 1) and Petitioner’s application for a temporary restraining order and preliminary injunction (ECF Nos. 7-11); establish that Petitioner’s detention is lawful. The attached documents are taken from Petitioner’s administrative file, as maintained by and provided to this Office by U.S. Immigration and Customs Enforcement.

1. Exhibit A is a copy of the Immigration Judge’s Memorandum and Order regarding removal, dated November 4, 2004.
2. Exhibit B is a copy of the Form I-205 Warrant of Removal/Deportation, dated December 30, 2004.
3. Exhibit C is a copy of a cover letter dated November 18, 2004, from the Immigration Court.

4. Exhibit D is Form I-166, dated December 30, 2004.
5. Exhibit E is the Form I-205 Warrant of Removal/Deportation, dated June 22, 2006.
6. Exhibit F is the Form I-205 Warrant of Removal/Deportation, dated June 25, 2009.
7. Exhibit G is the Form I-871 Notice of Intent/Decision to Reinstate Prior Order, dated May 23, 2023.
8. Exhibit H is the Form I-294 Warning to Alien Ordered Removed or Deported, dated May 23, 2023.
9. Exhibit I is the Form I-205 Warrant of Removal/Deportation dated May 23, 2023.
10. Exhibit J is the Form I-220B Order of Supervision, dated May 23, 2023.
11. Exhibit K is the Notice of Revocation of Release, dated September 8, 2025.
12. Exhibit L is the record reflecting the Alien Informal Interview conducted on September 8, 2025.
13. Exhibit M is the ERO Delegation Order dated July 25, 2019.

The facts contained in Exhibits A through M, and in the Declaration of Assistant Field Office Director Stephen Daniel Allport, and the law set forth in the government's memorandum of law in opposition to the Petition and Petitioner's application for a temporary restraining order and preliminary injunction, establish that Petitioner's detention is lawful.

WHEREFORE, the government respectfully requests that the Court enter judgment denying the Petition.

Dated: New York, New York
September 18, 2025

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York
Attorney for Respondents

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