

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELISA FONTANELLI, as Next Friend of JUAN
MARTIN BERNAL GARCIA,

Petitioner,

- v -

LADÉON FRANCIS, New York Field Office
Director for U.S. Immigration and Customs
Enforcement, *et al.*,

Respondents.

25 Civ. 7715 (JLR)

**RETURN TO
HABEAS PETITION**

Pursuant to 28 U.S.C. § 2243, respondents (the “government”) respectfully submit this return, together with the accompanying memorandum of law and the Declaration of Supervisory Detention and Deportation Officer Kareem Johnson, in response to the petition for a writ of habeas corpus of petitioner Juan Martin Bernal Garcia (“Petitioner”), as filed by next friend Elisa Fontanelli on September 16, 2025.

The attached documents are taken from Petitioner’s administrative immigration file, as maintained by U.S. Immigration and Customs Enforcement.

1. Exhibit A is a copy of a Record of Deportable/Inadmissible Alien, Form I-213, regarding Petitioner dated September 15, 2025.
2. Exhibit B is a U.S. Department of Homeland Security Warrant for Arrest of Alien, Form I-200, for Petitioner dated September 15, 2025.
3. Exhibit C is a copy of a Notice to Appear, Form I-862, served on Petitioner on September 15, 2025.
4. Exhibit D is a Notice of Custody Determination, Form I-286, for Petitioner dated September 15, 2025.

5. Exhibit E is an Amtrak Police Department Incident/Investigation Report concerning Petitioner's arrest on September 15, 2025.
6. Exhibit F is a Desk Appearance Ticket issued to Petitioner by Amtrak Police following his arrest on September 15, 2025.
7. Exhibit G is a New York City Police Department complaint record concerning the charges lodged against Petitioner on September 15, 2025, with certain information relating to third-party individuals redacted.
8. Exhibit H is a New York City Police Department arrest record concerning Petitioner's arrest on September 15, 2025.
9. Exhibit I is a copy of identification documentation for Petitioner, with certain personal information redacted.
10. Exhibit J is a copy of a Notice of Hearing dated September 23, 2025, regarding a hearing in immigration court for Petitioner set for September 26, 2025.

The facts contained in Exhibits A through J and the Johnson Declaration, and the law set forth in the government's memorandum of law in opposition to the petition, establish that Petitioner's detention is lawful.

WHEREFORE, the government respectfully requests that the Court enter judgment dismissing the petition.

Dated: September 25, 2025
New York, New York

Respectfully submitted,

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

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