

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

ANDRES PEREZ-CARMELO
Plaintiff

v.

SHAD M RICE, et al.
Defendant

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CIVIL CASE NO.1:25-CV-01383-JE-JPM

Judge Jerry Edwards Junior

MOTION TO DISMISS AS MOOT

TO THE HONORABLE JUDGE OF SAID COURT:

Andres Perez Carmelo, hereinafter Mr. Perez Carmelo, by and through his attorney Ms. Allyson Page, files this response and motion to dismiss Mr. Carmelo's Petition for Writ of Habeas Corpus and in support thereof would show the court the following:

I.

On September 18, 2025, Mr. Perez-Carmelo filed an Application for Writ of Habeas Corpus. Petitioner alleged that his continued detention is unlawful because, as a beneficiary of Special Immigrant Juvenile Status (SIJS) with an approved I-360 and deferred action, he is entitled to remain in the United States while awaiting visa availability and adjustment of status. He asserts that DHS improperly subjected him to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) following a dismissed traffic stop, rather than custody under 8 U.S.C. § 1226(a), which historically governed similarly situated individuals and permits release on bond or parole. The Petition claimed that Respondents' actions effectively revoked his SIJ benefits without due process, contravene congressional intent to protect abused, abandoned, or neglected children, and

violate statutory, regulatory, and constitutional guarantees. As relief, he sought immediate release or, alternatively, an individualized bond hearing under § 1226(a), and a declaration that detention under § 1225 is unlawful as applied to SIJ beneficiaries.

On Friday, September 19, 2025, Mr. Perez Carmelo's case was closed in Immigration Court, and he was released that evening from detention that evening. (See Exh. A: Order Granting Closure, *and* See Exh. B: ICE Detainee Locator Search Results.) Since Mr. Perez Carmelo has been released, the issue presented in this case is moot.

Accordingly, Mr. Perez-Carmelo prays that this court enter an order dismissing this case as moot.

Respectfully submitted,

By: /s/Allyson Page
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