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Hon. Katharine S. Hayden, U.S.D.J.

2 Federal Square

Newark, NJ 07102

Via ECF

January 3, 2026

Re: Liu v. Pittman, et. al.
Docket No.: 2:25-cv-16289

Dear Judge Hayden,

I am in receipt of the Respondent's letter dated January 2, 2026, ECF Document 13. I write to clarify a few details.

It remains unknown what document ICE presented to Ms. Liu on November 24, 2025 because (1) ICE did not provide it to counsel on that date as Ms. Liu requested, (2) Ms. Liu does not have her reading glasses and ICE has not provided her reading glasses, so she cannot identify the document presented to her on that date, and (3) ICE's representation after the fact is not trustworthy and has no means of independent or actual verification because they refused to leave the document with Ms. Liu, which makes no sense if the document was the verification of identity document in her native language.

Respondent's representation that counsel have worked together to have Ms. Liu complete the identity verification document is accurate.

Petitioner's detention remains unlawful because it was unlawful upon initiation as previously argued. Even if detention were lawful, after 90 days, ICE must demonstrate that Ms. Liu has been obstructing her removal or that she is a danger to the community. As

confirmed by both parties, Ms. Liu is cooperating with all reasonable requests so long as those requests are made with the opportunity for her to understand what is being requested, and there is no argument that she is a danger to the community. The standard for detention is not that ICE is trying; the standard requires showing removal is reasonably foreseeable. ICE cannot show that her removal is reasonably foreseeable and does not argue that it is, only that they are trying, and that such trying began on November 24, approximately seven weeks after detaining Ms. Liu.

Respectfully submitted,
/s/ Eric M. Mark
Eric M. Mark, Esq.