

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARIELIS SANTANA-RIVAS, :	No. 3:25-cv-01896
Petitioner, :	
v. :	(Wilson, J.)
WARDEN, in their official :	
Capacity as Warden of the :	
Clinton County Correctional :	
Facility, et al., :	
Respondents. :	Filed Electronically

**RESPONDENT'S OBJECTIONS TO THE NOVEMBER 13, 2025
REPORT AND RECOMMENDATION**

Respondent Angela Hoover, by her counsel, hereby objects to the November 13, 2025 Report and Recommendation (Doc. 15) on the grounds that the Magistrate Judge erred in finding that: (A) this Court has jurisdiction over Petitioner's claims; (B) 8 U.S.C. § 1225 has no application to the Petitioner; (C) Petitioner's detention has been unconstitutionally prolonged; and (D) Petitioner was entitled to attorney's fees pursuant to the Equal Access to Justice Act in an immigration habeas action prior to the issuance of a final decision.

The reasons underlying these objections are set forth in Respondent's supporting brief, which was filed concurrently herewith.

Respectfully submitted,

BRIAN D. MILLER
United States Attorney

s/Gerard T. Donahue
Gerard T. Donahue
Assistant United States Attorney
235 N. Washington Ave, Ste. 311
Scranton, PA 18503
Phone: (570) 348-2800
Fax: (570) 348-2830
Gerard.Donahue@usdoj.gov

Dated: November 18, 2025

