

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

OSCAR ARNOLDO RIVERA ESPERANZA,

Petitioner,

-against-

LADÉON 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, and PAM BONDI, in her  
official capacity as Attorney General,

Respondents.

Case No. 25 Civ. 8727 (RA)

**RETURN TO HABEAS PETITION**

Under 28 U.S.C. § 2243, the Government respectfully submits this Return, together with the accompanying Memorandum of Law in opposition to the Petition for Writ of Habeas Corpus ECF No. 1 (“Petition”), filed by petitioner Oscar Arnaldo Rivera Esperanza (“Petitioner”), and the Declaration of Deportation Officer Damian Giraldo dated October 29, 2025. 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 (“ICE”). The below exhibits are true and correct copies of these documents ed by ICE.

1. Exhibit 1 is a Record of Deportable/Inadmissible Alien (Form I-213), dated January 2, 2024.
2. Exhibit 2 is a Notice to Appear (Form I-862), dated January 2, 2024.
3. Exhibit 3 is the first page of a four-page document, the Order of Release on Recognizance (Form I-220A), dated January 2, 2024. The remaining three pages of the Order of Release on Recognizance are not contained in Petitioner’s administrative file.

4. Exhibit 4 is a Record of Deportable/Inadmissible Alien (Form I-213), dated October 21, 2025.

5. Exhibit 5 is a Warrant of Arrest for Alien (Form I-200) dated October 21, 2025.

6. Exhibit 6 is a Notice of Custody Determination (Form I-286) dated October 21, 2025.

The facts contained in Exhibits 1 through 6, and in the Declaration of Deportation Officer Giraldo, 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 denying the Petition.

Dated: New York, New York  
October 31, 2025

Respectfully submitted,

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

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