

(3) Petitioner's current location and proper Respondent based on that location:

Rodriguez is detained at the Hopkins County Jail, 2250 Laffoon Trail, Madisonville, Kentucky, but is currently at the hospital (Baptist Health Deaconess Madisonville). Sheriff Matt Sanderson is the proper respondent for the Hopkins County Jail.

(4) Government's view regarding effect of Castanon Nava consent decree on habeas case:

This court's order requests the government's view as to whether the recent decision about the settlement in *Castanon-Nava v. DHS*, No. 18 C 3757 (N.D. Ill.) (Dkt. 214) has any effect on Rodriguez's habeas corpus case (including whether Petitioner was arrested with or without a warrant). In this instance, Rodriguez was arrested by U.S. Customs and Border Protection ("CBP") on October 30, 2025, without a warrant based on probable cause.

Regardless, this case is not about the lawfulness of arrest where, as here, it is undisputed that Rodriguez is a foreign national who illegally made his way into the United States.

There is no application of the exclusionary rule to "suppress" Rodriguez from his own removal proceedings. See *United States v. Chagoya-Morales*, 859 F.3d 411, 418 (7th Cir. 2017) ("The 'body' or identity of a defendant or respondent in a criminal or civil proceeding is never itself suppressible as a fruit of an unlawful arrest, even if it is conceded that an unlawful arrest, search, or interrogation occurred." (quoting *INS v. Lopez-Mendoza*, 468 U.S. 1032, 1039–40 (1984))).

If Rodriguez believes that this petition is covered by *Castanon-Nava* then Rodriguez should file an individual claim in that case. The period covered by the settlement agreement in that case was recently extended by the court to February 2, 2026, and there is claim mechanism that must be followed. A link to the claim mechanism can be found at:

<https://immigrantjustice.org/referral-form-castanon-nava-settlement-violations-formulario-de-remision-sobre-violaciones-del-acuerdo-castanon-nava/>.

In addition, the settlement remedy of release articulated in *Castanon-Nava* does not apply to foreign nationals who are subject to mandatory detention. See *Castanon-Nava v. DHS*, No. 18 C 3757, Dkt. 214, slip op. at 9 (N.D. Ill. Oct. 7, 2025) (discussing exceptions, “such as where the class member is subject to mandatory detention pursuant to the INA”).

Respectfully submitted,

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