

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CRISTIN ROXANA AMAYA CORNEJO,

Petitioner,

v.

KRISTI NOEM, SECRETARY
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*

Respondents.

Case No. 8:25-cv-03670-LKG

MOTION FOR LEAVE TO FILE SUR-REPLY

Respondents, by and through undersigned counsel, Kelly O. Hayes, United States Attorney for the District of Maryland, and S. Nicole Nardone, Assistant United States Attorney for that District, hereby submit this consent motion for leave to file a sur-reply and states:

1. On November 7, 2025, Petitioner filed a Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241. ECF No. 1. On the same day, Petitioner filed an Emergency Motion for Temporary Restraining Order (“TRO”). ECF No. 3.

2. On November 11, 2025, the parties appeared for a telephonic status conference with the Court, after which the Court issued a scheduling order, providing that Respondent’s Response in Opposition to Petitioner’s Motion for TRO would be due on November 13, 2025, Petitioner’s Reply would be due on November 17, 2025, and a hearing would be held on November 20, 2025. ECF No. 9.

3. Per the Order, on November 13, 2025, Respondents filed their Response (ECF No. 10) and on November 17, 2025, Petitioner filed her Reply (ECF No. 11).

4. Through Petitioner’s Reply filed on November 17, 2025, Respondents learned – for

the first time – that Petitioner had obtained a bond hearing before an immigration judge on November 14, 2025, and had secured release from detention on bond. *See* ECF No. 11-1.

5. As the fact that Petitioner has now obtained a hearing before an immigration judge and obtained release on bond fundamentally changes the posture of her habeas petition and, Respondent would argue, potentially moots her petition, Respondent moves to file a sur-reply to address these issues.

6. On November 19, 2025, Respondents contacted Petitioner’s counsel to ascertain his position on the instant motion. As of the time of the filing this motion, Petitioner’s counsel has not responded.

7. Accordingly, Respondents request leave to file a sur-reply in this matter on or before November 20, 2025.

8. This motion is not filed for any improper purpose or delay. No party would be prejudiced by the relief requested herein.

WHEREFORE, Respondent requests that this Court grant this consent motion.

Dated: November 19, 2025

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: /s/ S. Nicole Nardone
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Counsel for Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of November, 2025, a copy of the foregoing Consent Motion for Leave to File Sur-Reply was served electronically on all parties receiving service via CM/ECF in this case.

/s/ S. Nicole Nardone
S. Nicole Nardone
Assistant United States Attorney