

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

Nouamane Sidqui,

Petitioner,

v.

Judith Almodovar, *et al.*,

Respondents.

25 Civ. 9349 (VSB)

**PETITIONER'S REPLY IN SUPPORT OF PETITION FOR
WRIT OF HABEAS CORPUS**

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INTRODUCTION

Petitioner, Noumane Sidqui, has been unlawfully detained by Respondents since November 7, 2025. In Respondents' Memorandum of Law in Opposition to the Petition for Writ of Habeas Corpus ("Opposition"), Respondents do not assert that Petitioner poses a danger or a flight risk, nor that they had an individualized reason to re-detain him. Instead, they claim a statute, one never applied to him during his time in the U.S., requires Petitioner's *mandatory* (no-bond) detention.

This interpretation of Respondents' statutory authority has been rejected by *hundreds* of district courts across the country in the last several months. Notwithstanding their statutory sleight of hand, Respondents' actions clearly violated the Fifth Amendment. Re-detention without notice, individualized decision-making, and review by a neutral adjudicator cannot survive constitutional scrutiny. Respondents offer no reason to conclude otherwise.

Accordingly, Petitioner asks the Court to order his immediate release.

FACTUAL BACKGROUND

The crucial facts are undisputed. Petitioner entered the United States without inspection on or about August 2024. ECF No. 13, ¶ 4. Respondents detained Petitioner initially, but on September 20, 2024, released Petitioner pursuant to "conditional parole" under 8 U.S.C. § 1226(a)(2)(B). See ECF No. 13, ¶ 13. See also Opposition, at 1 ("Petitioner was moved to regular removal proceedings after he showed a credible fear of persecution if he returned to Morocco, and was released from custody on conditional parole/Alternative To Detention program ("ATD").").¹ Petitioner was later detained by Respondents on November 7, 2025.

¹ Respondents produce no paperwork to the Court specifically reflecting Petitioner's release from custody on September 20, 2024. Nevertheless, Respondents correctly refer to this release as pursuant to "conditional parole," Opposition at 1, which is authorized under 9 U.S.C. § 1226(a)(2)(B). See 9 U.S.C. § 1226(a)(2)(B) ("On a warrant issued by the Attorney General, an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. Except as provided in subsection (c) and pending such decision,

ECF No 13, ¶ 24. Notably, Respondents do not dispute that they failed to provide Petitioner notice and an opportunity to be heard prior to his re-arrest.

ARGUMENT

I. Respondents Are Wrong About the Statute of Detention.

Respondents are wrong about the statutory authority for Petitioner's detention. Over the last several months, *hundreds* of federal district courts across the country have outright rejected the position Respondents are now taking.² These courts include the following from our own backyard:

- **Southern District of New York**³: Sun v. Almodovar, No. 25-cv-9262 (PKC), 2025 WL 3241268 (S.D.N.Y. Nov. 20, 2025); Guzman Cardenas v. Almodovar, 25-CV-9169 (JMF), 2025 WL 3215573 (S.D.N.Y. Nov. 18, 2025); Villegas v. Francis, No. 1:25-cv-09199 (JLR), 2025 WL 3215597 (S.D.N.Y. Nov. 18, 2025); Cuy Comes v. Deleon, No. 25 CIV. 9283 (AT), 2025 WL 3206491, at *3 (S.D.N.Y. Nov. 14, 2025); Rueda Torres v. Francis, No. 25- 8408 (DEH), 2025 WL 3168759 (S.D.N.Y. Nov. 13, 2025); Romero Perez v. Francis, No. 25- 8112 (JGK), 2025 WL 3110459 (S.D.N.Y. Nov. 6, 2025); Huamani v. Francis, 25-cv-8110 (LJL), 2025 WL 3079014 (S.D.N.Y. Nov. 4, 2025); Gonzalez v. Joyce, No. 25-8250 (AT), 2025 WL 2961626 (S.D.N.Y. Oct. 19, 2025) Samb v. Joyce, No. 25-6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); Lopez Benitez v. Francis, No. 25- 5937 (DEH), — F. Supp. 3d —, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025).
- **Eastern District of New York**: Artiga v. Genalo, No. 25-5208 (OEM), 2025 WL 2829434 (E.D.N.Y. Oct. 5, 2025); Hyppolite v. Noem, No. 25-4304 (NRM), 2025 WL 2829511 (E.D.N.Y. Oct. 6, 2025) J.U. v. Maldonado, No. 25-04836 (OEM), 2025 WL 2772765 (E.D.N.Y. Sept. 29, 2025).

the Attorney General—(1) may continue to detain the arrested alien; and (2) may release the alien on—(A) bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or (B) conditional parole.”). “Conditional parole under § 1226 releases a non-citizen *already in the country* from domestic detention.” Villegas v. Francis, No. 1:25-cv-09199 (JLR), 2025 WL 3215597, at *6 (S.D.N.Y. Nov. 18, 2025) (emphasis in original).

² Attached as Exhibit A is an Appendix created by Judge Diamond of the Eastern District of Pennsylvania documenting 288 decisions rejecting the current position taken by Respondents that non-citizens who entered the country unlawfully are subject to mandatory, no-bond detention under 8 U.S.C. § 1225(b). See Demirel v. Federal Detention Ctr. Philadelphia, Civ. No. 25-5488 (PSD), 2025 WL 3218243, at *1 (E.D. Pa. Nov. 18, 2025).

³ Somewhat shockingly, Respondents entirely avoid addressing this authority.

- **District of New Jersey:** Moreira da Silva v. LaForge., No 25-17095 (EP), 2025 WL 3173859 (D.N.J. Nov. 13, 2025); Guaman Naula v. Noem, No. 25- 16792 (SDW), 2025 WL 3158490 (D.N.J. Nov. 12, 2025); Vincenz-Marquez v. Soto, No. 25-16906 (KSH), 2025 WL 3097496 (D.N.J. Nov. 6, 2025); Mboup v. Field Off. Dir. of New Jersey Immigr. & Customs Enf't, No. 25-16882 (KSH), 2025 WL 3062791 (D.N.J. Nov. 3, 2025); Alaya Amaya v. Bondi, No. 25- 16428 (ESK), 2025 WL 3033880 (D.N.J. Oct. 30, 2025); Patel v. Almodovar, No. 25-15345 (SDW), 2025 WL 3012323 (D.N.J. Oct. 28, 2025); Lomeu v. Soto, No. 25-16589 (EP), 2025 WL 2981296 (D.N.J. Oct. 23, 2025); Contreras Maldonado v. Cabezas, No. 25-13004 (JKS), 2025 WL 2985256 (D.N.J. Oct. 23, 2025); Bethancourt Soto v. Soto, No. 25-16200 (CPO), — F. Supp. 3d —, 2025 WL 2976572 (D.N.J. Oct. 22, 2025); Buestan v. Chu, No. 25-16034 (MEF), 2025 WL 2972252 (D.N.J. Oct. 21, 2025); Castillo v. Lyons, No. 25-16219 (MEF), 2025 WL 2940990 (D.N.J. Oct. 10, 2025); Zumba v. Bondi, No. 25-14626 (KSH), 2025 WL 2753496 (D.N.J. Sept. 26, 2025).

A. The Record Demonstrates Petitioner's Detention is Pursuant to Section 1226.

For *decades*, courts have recognized that the detention of individuals who entered the U.S. without inspection is governed by 8 U.S.C. § 1226(a). See Matter of Hurtado, 29 I.&N. Dec. 216, 225 & n.6 (BIA 2025) (“We acknowledge that for years Immigration Judges have conducted bond hearings for aliens who entered the United States without inspection.”). Only in the past four months have Respondents begun to posit a totally new framework for detention.

Petitioner's case predates Respondents' recent reimagining of the detention statutes. As Respondents concede, after they initially apprehended him in September 2024, DHS determined his custody was pursuant to § 1226. ECF No. 13, ¶ 13. See also Opposition, at 1 (“Petitioner was moved to regular removal proceedings after he showed a credible fear of persecution if he returned to Morocco, and was released from custody on conditional parole/Alternative To Detention program (“ATD”).”). That remains true today. Respondents offer no authority to alternate detention statutes as they please absent a change in a person's criminal history or the posture of their removal proceedings. Nor does one exist. “[A] noncitizen cannot be subject to both mandatory detention under § 1225 and discretionary detention under § 1226 It therefore

follows that if [petitioner] was detained pursuant to one provision, he cannot be subject to the other.” Lopez Benitez, ---F. Supp.--- 3d, 2025 WL 2371588 at *4 (internal citations omitted).

B. Respondents’ Interpretation of Its Detention Authority Runs Counter to the Statute.

As the vast majority of courts to consider the issue have concluded, Respondents’ assertion that Petitioner is detained under Section 1225(b)(2) contravenes the plain meaning and structure of the relevant statutes.

By its own terms, Section 1225(b)(2) does not apply here. Courts must ensure “no clause, sentence, or word shall be superfluous, void, or insignificant.” TRW Inc. v. Andrews, 534 U.S. 19, 31 (2001). While Respondents stress that Petitioner is an “applicant for admission,” they ignore Section 1225(b)(2)’s qualifier that such individuals “are *seeking* admission”—language that “necessarily implies some sort of present-tense action.” Villegas, 2025 WL 3215597, at *3 (quoting Lopez Benitez, --- F. Supp. --- 3d, 2025 WL 2371588 at *6). But when Respondents arrested Petitioner, in September 2024, he was *already* inside the United States. His NTA confirms this: he was charged under 8 U.S.C. § 1182(a)(6)(A)(i) as someone *already present* in the U.S., and he was not designated as “arriving.” ECF No. 14-4. And that remains true today. Because he was (and is) no longer in the act of “seeking” admission, he falls outside the scope of Section 1225(b)(2). See Gonzalez, 2025 WL 2961626, at *4 (“[B]ecause Gonzalez has already lived in the United States for over two years since his release, § 1225 no longer applies to him.”). As observed recently by Judge Farbiarz of the District of New Jersey, “as a matter of plain-text reading, it is §1226(a) that applies to people situated like the Petitioner, not § 1225(b)(2)(A).” See Castillo, 2025 WL 2940990, at *1.

Respondents’ reliance on Jennings v. Rodriguez is misplaced for the same reason: far from directing that *all* applicants for admission are subject to 1225(b) detention, the Supreme Court there described classifications made “at the Nation’s borders and ports of entry, where the

Government must determine whether a [noncitizen] *seeking to enter the country* is admissible,” at which time detention may be pursuant to either § 1225(b)(1) or (b)(2). See 583 U.S. 281, 287 (2018) (emphasis added). Applying those statutes to people inside the U.S. who already entered and are not “seeking” entry or admission at a border, stretches them beyond their bounds. See Zumba, 2025 WL 2753496, at *8 (“[E]ven if petitioner could be deemed ‘an applicant for admission,’ under § 1225(a)(1), as respondents claim, [h]e does not meet the requirements of § 1225(b)(2), because [h]e was never ‘seeking entry’ nor inspected by immigration officials.”).

Respondents’ substitution of Section 1225(b)(2) for Section 1226 also contravenes the fundamental rule that courts must give “effect, if possible, to every clause and word of a statute,” while respecting their overall logic and structure. See United States v. Jackson, 964 F.3d 197, 203 (3d Cir. 2020). The repeated use of “may” in § 1226(a) plainly signals Congress’ intent to establish a discretionary detention framework for those detained pursuant to an administrative warrant. Critically, Section 1226(a) also expressly excludes certain “criminal” noncitizens from its discretionary framework—but contains no exclusion for anyone else. “That express exception” to Section 1226(a)’s discretionary framework “implies that there are no *other* circumstances under which” detention is mandated for noncitizens detained pursuant to an administrative warrant. See Jennings, 583 U.S. at 300 (emphasis in original). See also Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co., 559 U.S. 393, 400 (2010) (“that Congress has created specific exceptions” to a statute’s applicability “proves” that the statute generally applies absent those exceptions).

Moreover, Respondents’ interpretation of Section 1225(b)(2) renders superfluous a recent amendment to Section 1226. The Laken Riley Act⁴ created Section 1226(c)(1)(E), which mandates detention when a noncitizen is (i) inadmissible for having entered without inspection, engaging in

⁴ Pub. L. No.119-1, 139 Stat. 3 (2025).

fraud, or lacking entry documents; “and” (ii) is implicated in certain crimes. 8 U.S.C. § 1226(c)(1)(E). The conjunction “and” means detention is mandatory only if both criteria are satisfied. But under Respondents’ theory, Section 1226(c)(1)(E) was a meaningless amendment since, in their view, all noncitizens who have not been admitted are already subject to mandatory detention under Section 1225(b)(2). Because that is neither a permissible nor plausible reading of the statute, courts have rejected it. *See, e.g., Artiga*, 2025 WL 2829434, at *7 (“Respondents’ position that § 1225 applies to noncitizens who are arrested on a warrant while residing in the United States would render § 1226(c)(1)(E)’s criminal conduct requirement superfluous . . .”). *See also Huamani*, 2025 WL 3079014, at *4 (“By Respondents’ understanding, all noncitizens inadmissible under 8 U.S.C. § 1182(a)(6) (which states that those like Petitioner who are present without admission are inadmissible) are *already* subject to mandatory detention. Why, then, would Congress have thought it necessary to specifically add a provision making those noncitizens subject to mandatory detention if they are charged with certain crimes? The Government has no answer.”) (emphasis in original).

C. *Jennings* Conforms to Petitioner’s Argument.

Respondents’ citation to Supreme Court precedent does not help their argument. *Cf. Lopez Benitez*, 2025 WL 2267803 at *8 (the court could not “identify any authority” supporting Respondents’ interpretation of Section 1225(b)); *Martinez*, 2025 WL 2084238 at *8 (same). As noted above, far from supporting Respondents’ new theory, the Supreme Court in *Jennings* noted that § 1225(b) custody applies to people at the border “seeking to enter” the U.S.—but it distinguished them from people who, like Petitioner, are already in the U.S. For the latter category, it stated that custody under § 1226 is the “default rule.” 583 U.S. at 289. As observed by Judge Hayden of the District of New Jersey in applying *Jennings*:

Indeed, for nearly 30 years, § 1225 has applied to noncitizens who are either seeking entry to the United States or have a close nexus to the border, and § 1226 has applied to those

aliens arrested within the interior of the United States. The *Jennings* Court explicitly adopts this distinction, describing § 1225 as the detention statute for noncitizens affirmatively “seeking admission” into the United States, and § 1226 as the detention statute for noncitizens who are “already in the country.” 583 U.S. at 289. And although the *Jennings* Court characterizes § 1225(b)(2) as the “catchall” detention provision for noncitizens who are “seeking admission,” it identifies § 1226(a) as the “default rule” for the arrest, detention, and release of non-criminal aliens who are already present in the United States. *Id.* at 303.

See *Zumba*, 2025 WL 2753496, at *11.

This Court should, like so many others, reject Respondents’ statutory-switch theory and conclude Petitioner is detained under § 1226(a).⁵

II. Respondents Failed to Address the Constitutional Violations in Petitioner’s Case

Beyond their statutory-switch, Respondents offer no credible defense for Petitioner’s re-detention. As several courts have concluded, summary and purposeless detention is unconstitutional and merits immediate release. See *Zumba*, 2025 WL 2753496, at *11 (“For the reasons set forth above, petitioner’s mandatory detention under § 1225 violates the INA and the Due Process Clause of the Fifth Amendment. The Court grants the writ of habeas corpus and orders respondents to release petitioner from detention within 24 hours.”). See also *Lopez Benitez*, 2025 WL 2371588, at *9-12. This Court should find the same.

⁵ *Matter of Yajure Hurtado*, setting out the Executive Branch’s “newly-minted interpretation of § 1225(b)(2)(A),” deserves no deference from this Court. See *Zumba*, 2025 WL 2753496, at *9 (“[The BIA’s current position is inconsistent with its earlier pronouncements which took the opposite position, and under *Loper*, the Court has no obligation to defer to the BIA’s view, particularly when that view has not ‘remained consistent over time.’] (internal quotations and citation omitted). See also *Artiga*, 2025 WL 2829434, at *7 (“Under *Loper*, the Court is not required to defer to the BIA’s recent interpretation, particularly when that view has not remained consistent over time.) (internal quotations omitted); *Romero Perez*, 2025 WL 3110459, at *3 (“[A]fter *Loper Bright*, it is the province of the courts — not the agency — to ‘authoritatively interpret’ the statute. Accordingly, *Yajure Hurtado* does not bar *Romero* from obtaining a bond hearing because, under the correct statutory framework, the petitioner’s detention falls under § 1226(a), not § 1225(b)(2)(A).”) (citations omitted).

First, Respondents do not allege Petitioner's re-detention was due to danger or flight risks, the sole two lawful bases for immigration detention. Nor can they, since Petitioner's re-detention was part of a campaign with no individualized basis. Without a lawful justification, Petitioner's re-detention violated his right to substantive due process. See Padilla v. U.S. Immigr. & Customs Enf't, 704 F. Supp. 3d 1163, 1171 (W.D. Wash. 2023).

Second, Respondents do not claim they provided Petitioner notice or process before re-detaining him. The well-known test for constitutionality of process set forth in Mathews v. Eldridge, 424 U.S. 319, 335 (1976) is applicable to due-process challenges, and as recent decisions confirm, the deprivation of Petitioner's liberty interest without so much as a word of explanation, nor an opportunity to be heard, does not pass constitutional muster. See Zumba, 2025 WL 2753496, at *10 ("Here, the first and second Mathews factors weigh heavily in petitioner's favor, as she has been deprived of her liberty, erroneously subjected to mandatory detention under § 1225 during her removal proceedings, and denied due process protections, including the right to seek bond. The third Mathews factor also weighs in her favor as neither the government nor the public has a significant interest in detaining a long-term resident of the United States with no criminal history who is participating in cancellation of removal proceedings, which are civil in nature.").

Rather than confront these facts, Respondents suggest that Petitioner has no constitutional right to challenge his detention. Statutorily, that is wrong. See supra at I(B). More damningly, it runs counter to over a century of Supreme Court caselaw holding that noncitizens *present* in the United States are entitled to the full panoply of constitutional rights, regardless of whether their presence is lawful or derives from a lawful admission. See, e.g., Yamataya v. Fisher, 189 U.S. 86, 101 (1903); Leng May Ma v. Barber, 357 U.S. 185, 187 (1958); Mathews v. Diaz, 426 U.S. 67, 77 (1976); Landon v. Plasencia, 459 U.S. 21, 32 (1982); Zadvydas v. Davis, 533 U.S. 678, 693 (2001). Respondents' elide these holdings by referencing the limited due-process rights of excludable noncitizens, Opposition at 16—but excludability was a historical legal concept

applicable to individuals who had not *entered* the U.S. See Landon, 459 U.S. at 28 (“only ‘entering’ aliens are subject to exclusion”); Correa v. Thornburgh, 901 F.2d 1166, 1171 (2d Cir. 1990) (petitioner was subject to exclusion, rather than deportation, because she “had not effected an ‘entry’”). Those who have entered the U.S., like Petitioner, have due-process rights—irrespective of admission.

Respondents also cite Shaughnessy v. United States ex rel. Mezei, 345 U.S. 206, 212 (1953). But that case stands for the same point. See Mezei, 345 U.S. at 212 (“[noncitizens] who have once passed through our gates, *even illegally*, may be expelled only after proceedings conforming to traditional standards of fairness encompassed in due process of law”) (emphasis added). And in any event, Petitioner has not been “denied entry,” Mezei, 345 U.S. at 212; he was detained in the interior, *cf. id.* at 216; and his release from custody poses no national security concerns such that release would defeat the very objective of Respondents in excluding him, *cf. id.*

Petitioner’s re-detention is reviewable and violates his constitutional rights.

III. The Laken Riley Act Does Not Authorize Petitioner’s Detention

Respondents finally suggest that because Petitioner has been “arrested and charged” with certain criminal offenses he is subject to mandatory detention under the Laken Riley Act. See Opposition at 19-20 (“Notably, the Laken Riley Act does not require a conviction to bring an alien within its ambit; arrest is sufficient.”).

This argument fails first by ignoring the plain fact that the charges against Petitioner have been fully dismissed. See Exhibit B.⁶ And because of this fact, the Laken Riley Act cannot keep

⁶ Respondents write that “Counsel for Petitioner has provided to Government counsel a photograph of a document *purportedly* showing that these charges were dismissed in July 2025.” Opposition at 8 n.5 (emphasis added). But Respondents do not explain why present counsel would falsely provide documentation to counsel and the Court. Moreover, Respondents surely have the resources at their disposal to see on their own that such charges have been fully dismissed.

Petitioner detained. As explained just last week by Judge Ho, such an interpretation would be entirely inconsistent with the structure of the statute:

Respondents could not rely on § 1226(c) based on Ms. Rueda Torres' February charges. That is because the text of § 1226(c)(1)(E)(ii) does not provide for mandatory detention where, as here, charges have been dropped. "The plain language makes clear that detention is not mandatory if the criminal charges have been dropped." *Aguilar Lares v. Bondi*, No. 25 Civ 01562, Mem. Op. & Order, ECF No. 18 at *9 (E.D. Va. Oct. 29, 2025). In defining the scope of the obligation to detain, Congress used the present tense "*is* charged with," 8 U.S.C. § 1226(c)(1)(E)(ii) (emphasis added), as opposed to "*was or has been* charged." "Under common usage of the English language, if criminal charges against someone have been dropped, we would not continue to say the person is 'charged with' that crime, present tense." *Helbrum v. Williams Olson*, 25 Civ. 349, 2025 WL 2840273, at *5-6 (S.D. Iowa Sep. 30, 2025). "Had Congress intended to make detention mandatory for anyone who *was* charged with larceny, it certainly knew how." *Aguilar Lares*, 25 Civ 01562, ECF No. 18 at *9 (emphasis in original) (citing *United States v. Atiyeh*, 402 F.3d 354, 364 (3d Cir. 2025)).

The structure of the statute reinforces its plain meaning. As another district court recently noted, the language in § 1226(c)(1)(E)(ii) tracks the steps of criminal proceedings. "Criminal cases start either with the filing of charges ('is charged with') or the arrest of a person ('is arrested for') pending the filing of such charges." *Helbrum*, 2025 WL 2840273, at *6. "A person cannot be convicted of an offense without first being charged." *Id.* However, Respondents urge an interpretation that requires mandatory detention following any arrest or charge no matter the ultimate disposition of those charges. Such an interpretation would "make the words 'is convicted of' superfluous," as no Defendant could possibly proceed to a conviction without first being charged. *Id.*; *see also Corley v. United States*, 556 U.S. 303, 314 (2009) (citing presumption against superfluous language as one of the "most basic interpretive canons"); *Marx v. Gen. Rev. Corp.*, 568 U.S. 371, 386 (2013) ("[T]he canon against surplusage is strongest when an interpretation would render superfluous another part of the same statutory scheme."). Thus, while detention is mandatory immediately following an arrest, it is no longer required if charges are ultimately not filed. Similarly, detention remains mandatory if charges are filed, but it is no longer required if charges are dropped or if a person is acquitted. Any other interpretation would render superfluous the language in the statute requiring detention under circumstances other than when a person "is arrested for" or "is charged with" certain crimes.

Torres, 2025 WL 3168759, at *5 (emphasis added).

IV. Interim Release is Warranted.

The great and growing weight of authority in Petitioner's favor shows he raises substantial claims. His detention is extraordinary because, in the absence of either danger or flight risk, it is purposeless. *See Mahdawi v. Trump*, 781 F. Supp. 3d 214, 232 (D. Vt. 2025) (considering "the

conventional bail issues of risk of flight and danger to society” under this prong). Its context—as part of a campaign targeting non-citizens, with the asserted basis shifting over time—is also extraordinary and alarming. *See id.* *See also Mohammed H. v. Trump*, 781 F. Supp. 3d 886, 896 (D. Minn. 2025) (finding extraordinary circumstances including “shifting post hoc explanations to justify the arrest”). The habeas remedy itself is ineffective when a petitioner is unconstitutionally detained— be that for a moment, a day, a month or longer. As a result, because the Respondents “have not argued in the alternative that Petitioner should be detained under § 1226(a), the Court [should not] construe the record to authorize his continued detention on that basis,” and the Court should order Petitioner’s immediate release and permanently enjoin Respondents from re-detaining him under § 1225. *See Bethancourt Soto v. Soto*, — F. Supp. 3d —, 2025 WL 2976572, at *9 (ordering immediate release). *See also Cuy Comes*, 2025 WL 3206491, at *6 (same); *Huamani*, 2025 WL 3079014, at *8-*9 (same); *Lopez Benitez*, — F. Supp. 3d —, 2025 WL 2371588, at *15 (same).

CONCLUSION

For the foregoing reasons, Petitioner asks the Court to order his immediate release from custody.

Dated: November 21, 2025

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CERTIFICATE OF SERVICE

I, Michael Z. Goldman, certify that on November 21, 2025, I electronically filed the attached the foregoing Petitioner's Reply in Support of Petition for Writ of Habeas Corpus and accompanying Exhibit with the Clerk of the Court for the United States District Court for the Southern District of New York using the CM/ECF system. Service will therefore be effected by the CM/ECF system.

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