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December 18, 2025

**Via ECF**

The Honorable Lawrence J. Vilardo  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

**Re: *Quiroz v. Marich*, 25-cv-1166 (LJV)**

Dear Judge Vilardo:

On December 15, 2025, the Government advised this Court that Petitioner's withholding-only proceedings had concluded, and that the only impediment to his prompt removal was the stay put in place by this Court on November 13, 2025. *See* Dkt. No. 12. The Government has since admitted that it jumped the gun. *See* Dkt. No. 16. Thus, Petitioner's statement of December 9, 2025 remains true: "His withholding-only proceedings remain in their earliest stages." Dkt. No. 10 at 6. His removal is thus not reasonably foreseeable. And the Government concedes that we are well outside the presumptively reasonable detention period. *See* Dkt. No. 14 at 2.

The Government does raise the specter of "third-country" removal. Dkt. No. 16. But no third country has been identified. Third-country removal is, of course, "statutorily [ ]authorized," but the "on-the-ground" reality is that it remains exceedingly "rare." *Johnson v. Guzman Chavez*, 594 U.S. 523, 537 (2021). And Petitioner would, presumably, be entitled to notice and an opportunity to present a withholding claim as to any third country the Government may in future designate. The Government cannot establish that removal is foreseeable by simply gesturing vaguely toward the notion of a third-country removal.

All that being said, we agree with the Government that the stay of removal in this case should be lifted. Petitioner's removal is currently impracticable due to the pendency of his withholding-only proceedings, and the lack of any identified third country that might accept him. As such, after the stay has been lifted, the Court should order his release.

Respectfully submitted,

/s/ Reuben S. Kerben  
*Attorney for Petitioner*

c. AUSA Adam A. Khalil (via ECF)