UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HECTOR MIGUEL HERRERA-MORENO,

        Petitioner,

v.

Warden, North Lake Correctional Facility;
Secretary of the U.S. Dept. of Homeland
Security; U.S. Attorney General; Field Office
Director, U.S. Immigration and Customs
Enforcement, Detroit Field Office,

        Respondents.

_____/

Case No. 1:25-cv-1411

Hon. Hala Y. Jarbou
Chief U.S. District Court Judge

Hon. Ray Kent
U.S. Magistrate Judge

FEDERAL RESPONDENTS' MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Federal Respondents, Secretary of the U.S. Department of Homeland Security, U.S. Attorney General, and Field Office Director, U.S. Immigration and Customs Enforcement, Detroit Field Office, move to dismiss the Petition[1] for Writ of Habeas Corpus Under 28 U.S.C. § 2241 pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject-matter jurisdiction. The basis for this motion is set forth in the accompanying memorandum.

In accordance with Local Civil Rule 7.1(d), counsel for Federal Respondents contacted counsel for Petitioner via telephone on November 13, 2025, to ascertain whether she would voluntarily dismiss the Petition as moot. On November 17, 2025, counsel for Petitioner stated that

---

[1] Petitioner initiated this action by filing a Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 on November 11, 2025, (ECF No. 1, PageID.1-4), which he later amended on November 12, 2025. (ECF No. 4, PageID.36-39.) In this motion and its accompanying memorandum, the term "Petition" refers to the amended petition filed on November 12, 2025.

she would not withdraw the Petition and invited the Federal Respondents to file a written response with the Court setting forth their position.

Respectfully submitted,

TIMOTHY VERHEY
United States Attorney

Dated: November 19, 2025

/s/ *Laura Babinsky*
LAURA BABINSKY
Assistant United States Attorney
Post Office Box 208
Grand Rapids, MI 49501-0208
(616) 456-2404
Laura.Babinsky@usdoj.gov
Attorney for Respondents