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VIA ECF

Hon. Esther Salas
Martin Luther King Building
50 Walnut Street, Courtroom MLK 5A
Newark, NJ 07102

November 17, 2025

Re: W.Y.R.B. v. Bondi, 2:25-cv-17378
Transfer of Petitioner and Status Conference

Dear Judge Salas:

We represent Petitioner, W.R.Y.B., in his Petition for a Writ of Habeas Corpus filed on November 13, 2025. We write to update the Court on new and urgent facts and file this request for a pre-hearing conference regarding a motion compelling transfer of W.R.Y.B. back to this district. *See* L. R. Civ.P. 7, Judge Esther Salas’s General Pretrial and Trial Procedures.

W.R.Y.B.’s habeas petition challenges his unlawful and unconstitutional arrest and detention by Immigration and Customs Enforcement (“ICE”). W.R.Y.B. was permitted to enter the United States in August 2023 with his family, however, following a routine immigration court appearance at 26 Federal Plaza on October 15, 2025, W.R.Y.B. was abruptly arrested by ICE in the court hallway and ultimately transferred to the ICE Delaney Hall Detention Facility (“Delaney Hall”). W.R.Y.B.’s detention separates him from his wife and his two young children. W.R.Y.B. thereafter received pro bono representation from The Legal Aid Society in his removal proceedings where he will continue pursuing his application for asylum. W.R.Y.B. brings five claims for relief in this habeas petition, challenging his unlawful detention on statutory and constitutional grounds. *See* ECF. 1 (Petition).

At the time of filing the Petition for Writ of Habeas Corpus, W.R.Y.B. was detained at Delaney Hall. *See* Exhibit A (ICE Detainee Locator, 1/12/25). However, undersigned counsel’s office was made aware that early in the morning of November 13, 2025, around 2am, W.R.Y.B. was removed by ICE out of the Delaney Hall. W.R.Y.B.’s location was thereafter unknown. However, it is now understood that W.R.Y.B. has been transferred over the last few days to Louisiana and then Mississippi, where he is more than 1,000 miles from his wife and children, pro bono counsel, and the immigration court where he has been pursuing his claims for the last two years. *See* Exhibit



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B, (ICE Detainee Locator 11/17/25). It is understood that W.R.Y.B. may be imminently moved again, to an unknown location.

The multiple transfers directly and materially affect W.R.Y.B.'s relief before this Court. If this Court ultimately rules in favor of Petitioner - and in accordance with at least ten decisions from this district and countless other decisions across the country - W.R.Y.B. will be entitled to immediate release or a prompt bond hearing. *See, e.g., Contreras Maldonado v. Cabezas*, 2:25-cv-13004m 2025 WL 2985256 (D.N.J. Oct. 23, 2025) (Ordering petitioner's immediate release within 24 hours); *de Fatima Lomeu v. Soto*, 25-cv-16589, 2025 WL 2981296 (D.N.J. Oct. 23, 2025) (same); *Macancela Buestan v. Chu*, 25-cv-16034, 2025 WL 2972252 (D.N.J. Oct. 21, 2025) (Holding that petitioner's detention falls under 1226(a) and requiring an update as to a bond hearing); *Mugliza Castillo v. Lyons*, 2025 WL 2940990 (D. N.J. October 10, 2025) (same); *Ayala Amaya v. Bondi*, 25-cv-16428, 2025 WL 3033880 (D.N.J. Oct. 30, 2025) (Ordering a bond hearing under 1226(a) and status update within 10 days).

The transfer of W.R.Y.B. out of the district will make any order for "immediate release" exceedingly difficult; he will be left in a location where he is without any family, friends or resources, and without a cell phone, money or a way to coordinate his transportation 1,000 miles back to New York. Alternatively, if this Court instead orders relief in the form of a bond hearing, the bond hearing will default to being scheduled in the jurisdiction of ICE's physical location of W.R.Y.B. *See* 8 C.F.R. 1003.19(c) ("Applications for the exercise of authority to review bond determinations shall be made to one of the following offices, in the designated order: (1) *If the respondent is detained, to the Immigration Court having jurisdiction over the place of detention;* (2) To the Immigration Court having administrative control over the case; or (3) To the Office of the Chief Immigration Judge for designation of an appropriate Immigration Court.") (emphasis added). Therefore, an order from this Court for the transfer of W.R.Y.B. back to the district is necessary to preserve due process by ensuring that a bond hearing will occur before the immigration court in this jurisdiction, near where W.R.Y.B. has resided for the past two years, has pro bono counsel, and has family and friends to support him in the matters. Without an order for transfer back to the district, Respondents will essentially be permitted to forum shop in the bond hearing process. *Cf. Anariba v. Dir. Hudson Cnty. Corr. Ctr.*, 17 F.4th 434, 445 (3d Cir. 2021) ("This [immediate custodian] rule ... serves the important purpose of preventing forum shopping . . .") (citing *Padilla*, 542 U.S. at 447, 124 S.Ct. 2711).

This Court has federal jurisdiction over the habeas petition and W.R.Y.B.'s transfer to Mississippi – or any other unknown location - does not strip this Court of jurisdiction over the petition. *See Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004).. at 441; *Anariba*, 17 F.4th, 444-45. "The district court undeniably has an 'inherent authority to protect [its] proceedings.'" *Ozturk v. Hyde*, No. 25-1019, 2025 WL 1318154, *7 (2d Cir. May 7, 2025) (quoting *Degen v. United States*, 517 U.S. 820, 823 (1996)).



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District courts possess an “inherent authority” to issue orders for the effective disposition of cases before it. *See, e.g., Dietz v. Bouldin.*, 579 U.S. 40, 47 (2016) (“[D]istrict courts have an inherent authority to manage their dockets and courtrooms with a view toward the efficient and expedient resolution of cases.”); *Landis v. North Am. Co.*, 299 U.S. 248, 254-55, 57 S.Ct. 163, 81 L.Ed. 153 (1936) (same); *see also, Lucas v. Hadden*, 790 F.2d 365, 367 (3d Cir. 1986) (discussing the “inherent power” of a federal court to admit a habeas petitioner to bail pending a ruling on the claims asserted in the petition). This authority includes ordering W.R.Y.B.’s custodial transfer back to this District to support this Court’s resolution of W.R.Y.B.’s claims in the habeas petition, which, “challenges [his] unlawful detention” pending the resolution of any removal proceeding. *See Ozturk* 2025 WL 1318154 at *9.

Petitioner therefore respectfully files this letter for a conference and as notice of Petitioner’s motion for an order compelling the transfer of W.R.Y.B. back to a facility within the physical jurisdiction of this Court. *See Ozturk*, 2025 WL 1318154, at *1 (Ordering the government to comply with the district court’s transfer order within one week, “To support the Court’s resolution of these issues, the Court orders that Ms. Öztürk be physically transferred to ICE custody within the District of Vermont no later than May 14, 2025.”); *L.G.M. v. LaRocco*, 2:25-cv-02631-PKC (E.D.N.Y., May 12, 2025) (Ordering petitioner be physically transferred in ICE custody to the Eastern District of New York based on the court’s “inherent authority to protect [its] proceedings” and as necessary to support the “Court’s resolution of Petitioner’s claims in the Habeas Petition.”)

Undersigned counsel is concerned for W.R.Y.B.’s well-being and his ability to effectively assist in his own representation in his pending habeas and any bond proceeding or release. Absent an order from this Court, it is unknown if ICE will again transfer W.R.Y.B. to another ICE detention facility elsewhere in the United States, without notice and further destabilizing W.R.Y.B. and his ability to obtain effective relief in this habeas. *See Anariba v. Dir. Hudson Cnty. Corr. Ctr.*, 17 F.4th 434, 439 (3d Cir. 2021) (noting that ICE transferred petitioner “at least 15 times to 6 different facilities in 4 different states.”) Lastly, should the Respondents fail to return W.Y.R.B. to the jurisdiction, Petitioner proposes that an appropriate remedy would be a bail hearing before this court. *See, e.g., Leslie v. Holder*, 865 F. Supp. 2d 627, 633 (M.D. Pa. 2012) (“[T]he authority of this Court to conduct a bail hearing in a federal habeas corpus proceeding springs from several well-established legal sources.”)

Undersigned counsel reached out to the Assistant United States Attorneys who have appeared for Respondents. At the time of this filing, they have not responded with their position on voluntarily returning W.R.Y.B. to this district.

Wherefore, we write to urgently update the Court regarding the recent developments surrounding W.R.Y.B.’s transfer, which materially impact the relief sought by W.Y.R.B. in the instant petition. We respectfully seek a pre-motion conference with the court to discuss these urgent issues.



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Sincerely,

FOR THE PETITIONER,

/s/ Sharone Kaufman

Sharone Kaufman, Esq.

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The Legal Aid Society

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Cc: Respondents' Counsel (via ECF)