

United States District Court  
Western District of Texas  
El Paso Division

Seamus Thomas Culleton,  
Petitioner,

v.

Mary De Anda-Ybarra, Field Office Director,  
Enforcement and Removal, U.S. Immigration  
and Customs Enforcement, *et. al.*

Respondents.

No. 3:25-cv-00554-KC

**RESPONDENTS SURREPLY REGARDING REQUEST TO CONTINUE THE  
HEARING SCHEDULED FOR JANUARY 16, 2026 AND ADVISORY REGARDING  
FLIGHT STATUS**

Now comes Respondents and file this Surreply. Respondents called Petitioner at 8:32 a.m. at the number listed on the Docket Sheet for Respondent's counsel: (682) 422-7548. Respondent's counsel informed Petitioner's counsel who answered the phone that they would seek a continuance because of the flight delay. The attorney on the phone responded that they would not be opposed to the continuance because they understood that flights get delayed. Respondents even informed Petitioner's counsel that he understood if they would be opposed because they were opposed last week. Petitioner's counsel said they would not. Accordingly, Respondent's counsel filed the aforementioned Motion for Continuance. Respondent's counsel did not wish to make any misrepresentations to the court regarding conferring. Accordingly, because they have indicated they are now opposed, the Motion for Continuance is opposed.

Dated: January 15, 2026

Respectfully submitted,

Justin R. Simmons  
United States Attorney

*/s/ Adrian Acosta*

---

Adrian Acosta  
Assistant United States Attorney  
Texas No. 24097275  
700 E, San Antonio Ave. Ste. 200  
El Paso, Texas 79901  
(915) 534-6884  
[Adrian.Acosta@usdoj.gov](mailto:Adrian.Acosta@usdoj.gov)

Attorneys for Federal Respondents