

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

E.M.M.,

Petitioner,

-against-

JUDITH ALMODOVAR, *et al.*,

Respondents.

No. 25 Civ. 9592 (DEH)

RETURN TO HABEAS PETITION

Under 28 U.S.C. § 2243, the Government respectfully submits this Return, together with the accompanying Letter in opposition to the Amended Petition for Writ of Habeas Corpus ECF No. 9 (“Amended Petition”), filed by petitioner E.M.M. (“Petitioner”), and the Declaration of Deportation Officer Mincheol So dated November 25, 2025. The attached documents are taken from Petitioner’s administrative file, as maintained by and provided to this Office by U.S. Immigration and Customs Enforcement (“ICE”). The below exhibits are true and correct copies of these documents maintained by ICE.

1. Exhibit A is a Notice to Appear (Form I-862), dated May 19, 2025. Pursuant to the Court’s November 19, 2025, order, ECF No. 6, Petitioner’s alien registration number and full name have been redacted from this document.

2. Exhibit B is a Warrant for Arrest of Alien (Form I-200), dated May 19, 2025. Pursuant to the Court’s November 19, 2025, order, ECF No. 6, Petitioner’s alien registration number and full name have been redacted from this document.

3. Exhibit C is a Notice of Custody Determination (Form I-286), dated May 19, 2025. Pursuant to the Court’s November 19, 2025, order, ECF No. 6, Petitioner’s alien registration number and full name have been redacted from this document.

The facts contained in Exhibits A through C, and in the So Declaration, and the law set forth in the Government's letter, establish that Petitioner's detention is lawful.

WHEREFORE, the Government respectfully requests that the Court enter judgment denying the Petition.

Dated: New York, New York
November 25, 2025

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York
Attorney for Respondents

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