IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

RENE INFANTE NUNEZ,	:	
	:	
Petitioner,	:	
	:	**Case No. 4:25-CV-388-CDL-AGH**
v.	:	**28 U.S.C. § 2241**
	:	
WARDEN, STEWART DETENTION CENTER,[1]	:	
	:	
Respondent.	:	

RESPONDENTS' RESPONSE TO PETITION

On November 18, 2025, the Court received Petitioner's petition for a writ of habeas corpus ("Petition"). ECF No. 1. In his Petition, Petitioner asserts that his detention violates his Fifth Amendment due process rights pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001). *See generally* ECF No. 1. Petitioner also argues that his detention violates due process. ECF No. 1, Pet. 5-7. He seeks release from custody, a stay from transferring Petitioner out of the district, and a stay of removal. *Id.* As explained below, the Petition should be dismissed or, alternatively, denied.

BACKGROUND

Petitioner is a native and citizen of Cuba who is detained post-final order of removal pursuant to 8 U.S.C. § 1231(a). Declaration of Deportation Officer Kumar Johnson ("Johnson Decl.") ¶¶ 3, 13, filed contemporaneously herewith.

[1] In addition to the Warden of Stewart Detention Center, Petitioner also names officials with the Department of Justice, Department of Homeland Security, and Immigration and Customs Enforcement as Respondents in his Petition. "[T]he default rule [for claims under 28 U.S.C. § 2241] is that the proper respondent is the warden of the facility where the prisoner is being held, not the Attorney General or some other remote supervisory official." *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004) (citations omitted). Thus, Respondent has substituted the Warden as the sole appropriately named respondent in this action.

Petitioner is a native and citizen of Cuba. Johnson Decl. ¶ 4. On or about March 11, 2005, he was accorded status as a lawful permanent resident. Johnson Decl. ¶ 4. On or about December 1, 2006, Petitioner was convicted in the Circuit Court of the Eleventh Judicial Circuit in and for Miami Dade County, Florida for the offenses of burglary and grand theft in the third degree. Johnson Decl. ¶ 5. He was sentenced to confinement of 15 days and 6 years of probation for each conviction. Johnson Decl. ¶ 5; *see also* Attachment A, 2006 Disposition. On or about April 30, 2012, the United States Citizenship and Immigration Services ("USCIS") received Petitioner's N-400, Application for Naturalization. Johnson Decl. ¶ 6.

On or about April 23, 2013, ICE/ERO encountered Petitioner during a Naturalization Prosecutorial Discretion Review Panel and initiated removal proceedings. Johnson Decl. ¶ 7. On April 25, 2013, Petitioner was served, by mail, with a Notice to Appear ("NTA") that charged him with being removable pursuant to 237(a)(2)(A)(i) of the Immigration and Nationality Act ("INA"). Johnson Decl. ¶ 8. After a few master hearings, on December 9, 2014, Petitioner appeared, with counsel, for a merits hearing to adjudicate his applications for adjustment of status and INA § 212(h) waiver. Johnson Decl. ¶ 9. The Immigration Judge denied both and ordered Petitioner removed to Cuba. Johnson Decl. ¶ 9; *see also* Attachment B, Order of Removal. On or about December 31, 2014, Petitioner appealed the Order of Removal to the Board of Immigration Appeals ("BIA"). Johnson Decl. ¶ 10. On March 23, 2016, the BIA dismissed Petitioner's appeal and denied his request for a motion to remand. Johnson Decl. ¶ 10. On April 20, 2016, Petitioner filed a Petition for Review with the U.S. Court of Appeals Eleventh Circuit that was later denied on April 10, 2017. Johnson Decl. ¶ 10.

On June 26, 2017, Petitioner's N-400, Application for Naturalization was denied by the United States Citizenship and Immigration Services. Johnson Decl. ¶ 11. On August 14, 2019,

Petitioner encountered ICE/ERO following his arrest in Greenville, South Carolina for possession of financial transaction card forgery device, financial transaction card theft, financial transaction card fraud, defrauding hotel, boarding house or restaurant, and possession of master keys and non-owner key sets. Johnson Decl. ¶ 12. The following day, Petitioner entered ICE custody and was transported to Stewart Detention Center in Lumpkin, Georgia. Johnson Decl. ¶ 12; *see also* Attachment C, I-213, Record of Deportable/Inadmissible Alien dated August 15, 2019. On November 12, 2019, Petitioner was released from ICE custody pursuant to an Order of Supervision ("OSUP"). Johnson Decl. ¶ 13.

On March 17, 2025, Petitioner was encountered by ICE/ERO following his arrest in DeKalb County, Georgia for criminal trespass. Johnson Decl. ¶ 14. He was taken into ICE custody and transported to Stewart Detention Center. Johnson Decl. ¶ 14; *see also* Attachment D, I-213, Record of Deportable/Inadmissible Alien dated March 17, 2025.

On or about April 9, 2025, ERO submitted an inquiry to Headquarters Removal and International Operations ("HQRIO") to check the status of Petitioner's removability to Cuba. Johnson Decl. ¶ 15. On April 15, 2025, HQRIO notified ERO that the original "Case by Case" nomination request was submitted to the government of Cuba on October 22, 2019, and remains pending. Johnson Decl. ¶ 15. On May 9, 2025, ERO again followed up with HQRIO and received the same response on May 13, 2025. Johnson Decl. ¶ 15.

On or about May 15, 2025, Petitioner was served notice of his 90-day post custody review ("POCR") to occur on June 14, 2025. Johnson Decl. ¶ 16. Petitioner was subsequently notified that his interview would occur on July 14, 2025, however, Petitioner responded by confirming he did not want a personal interview. Johnson Decl. ¶ 16. The 90-day POCR review decision remains pending. Johnson Decl. ¶ 16.

ERO is in the process of making arrangements to remove Petitioner to a third-party country. Johnson Decl. ¶ 17. Specifically, ERO is in the process of serving Petitioner with the necessary third-party country documents and will transfer him to a border facility in the coming days to facilitate his removal. Johnson Decl. ¶ 17.

LEGAL FRAMEWORK

I. Jurisdiction Over Final Orders of Removal

In the immigration context, "[f]ollowing enactment of the REAL ID Act of 2005, district courts lack habeas jurisdiction to entertain challenges to final orders of removal." *Themeus v. U.S. Dep't of Justice*, 643 F. App'x 830, 832 (11th Cir. 2016) (per curiam) (citing 8 U.S.C. § 1252(a)(5), (b)(9)). "Instead, 'a petition for review filed with the appropriate court is now an alien's exclusive means of review of a removal order.'" *Id.* (quoting *Alexandre v. U.S. Att'y Gen.*, 452 F.3d 1204, 1206 (11th Cir. 2006)). Section 1252(b)(9) provides in full:

> Judicial review of all questions of law and fact, including interpretation and application of constitutional and statutory provisions, arising from any action taken or proceeding brought to remove an alien from the United States under [subchapter II of chapter 12 (8 U.S.C. §§ 1151-1378)] shall be available only in judicial review of a final order under this section. Except as otherwise provided in this section, no court shall have jurisdiction, by habeas corpus under section 2241 of title 28 or any other habeas corpus provision, by section 1361 or 1651 of such title, or by any other provision of law (statutory or nonstatutory), to review such an order or such questions of law or fact.

8 U.S.C. § 1252(b)(9).

The Supreme Court has described § 1252(b)(9) as an "unmistakable zipper clause" that streamlines litigation by consolidating and channeling claims first to the agency and then to the circuit courts through petitions for review. *Reno v. American-Arab Anti-Discrimination Comm.* ("*AADC*"), 525 U.S. 471, 483 (1999). In *AADC*, the Court elaborated on the breadth of section 1252(b)(9), explaining that it serves as a "general jurisdictional limitation" on challenges to actions

arising from removal operations and proceedings. *Id.* at 482. District courts are barred from reviewing removal proceedings regardless of how the non-citizen characterizes her claim. *Mata v. Sec'y of Dep't of Homeland Sec.*, 426 F. App'x 698, 700 (11th Cir. 2011) (per curiam) (affirming district court's dismissal of challenge to removal order brought pursuant to the federal question and mandamus statutes, Administrative Procedure Act, and the Declaratory Judgment Act).

Additionally, 8 U.S.C. § 1252(g) provides that

> [e]xcept as provided in this section and notwithstanding any other provision of law (statutory or nonstatutory), . . . no court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.

8 U.S.C. § 1252(g). "When asking if a claim is barred by § 1252(g), courts must focus on the action being challenged." *Canal A Media Holding, LLC v. U.S. Citizenship & Imm. Servs.*, 964 F.3d 1250, 1257-58 (11th Cir. 2020). Section 1252(g) applies "to three discrete actions that the Attorney General may take: [the] 'decision or action' to '*commence* proceedings, *adjudicate* cases, or *execute* removal orders.'" *AADC*, 525 U.S. at 482 (emphasis in original). Section 1252(g) operates as "a 'discretion-protecting provision' designed to prevent the 'deconstruction, fragmentation, and hence prolongation of removal proceedings.'" *Camarena v. Director, Imm. & Customs Enf't*, 988 F.3d 1268, 1272 (11th Cir. 2021) (quoting *AADC*, 525 U.S. at 487).

II. Post-Final Order Detention and *Zadvydas*

Since Petitioner is detained post-final order of removal, his detention is governed by 8 U.S.C. § 1231. Congress provided in 8 U.S.C. § 1231(a)(1) that ICE/ERO shall remove an alien within ninety (90) days of the latest of: (1) the date the order of removal becomes administratively final; (2) if a removal is stayed pending judicial review of the removal order, the date of the reviewing court's final order; or (3) the date the alien is released from criminal confinement. *See*

8 U.S.C. §§ 1231(a)(1)(A)-(B). During this ninety-day time frame, known as the "removal period," detention is mandatory. *See id.* at § 1231(a)(2).

If ICE/ERO does not remove an alien within ninety days, detention may continue if it is "reasonably necessary" to effectuate removal. *See Zadvydas v. Davis*, 533 U.S. 678, 689 (2001); 8 U.S.C. § 1231(a)(6) (providing that an alien who is subject to mandatory detention, inadmissible, or who has been determined to be a risk to the community or a flight risk, "may be detained beyond the removal period"). In *Zadvydas*, the Supreme Court determined that, under the Fifth Amendment, detention for six months is presumptively reasonable. 533 U.S. at 700. "After this 6-month period, *once the alien provides good reason to believe* that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." *Id.* at 701 (emphasis added); *see also* 8 C.F.R. § 241.13. Where there is no significant likelihood of removal in the reasonably foreseeable future, the alien should be released from confinement. *Id.*

In *Akinwale v. Ashcroft*, 287 F.3d 1050 (11th Cir. 2002), the Eleventh Circuit further elaborated on the framework announced by the Supreme Court in *Zadvydas*, stating that "in order to state a claim under *Zadvydas* the alien not only must show post-removal order detention in excess of six months but *also must provide evidence of a good reason to believe* that there is no significant likelihood of removal in the reasonably foreseeable future." 287 F.3d at 1052 (emphasis added). Thus, the burden is on Petitioner to demonstrate: (1) post-removal order detention lasting more than six months; and (2) evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future. *Gozo v. Napolitano*, 309 F. App'x 344, 346 (11th Cir. 2009) (per curiam) (quoting *Akinwale*, 287 F.3d at 1051-52).

III. Third Country Removals

The INA provides the Executive Branch with the authority to execute orders of removal and to ensure that aliens who have been ordered removed are in fact removed from the United States. This authority is broad. The United States may remove aliens to various countries including, where other options are unavailable, to any country willing and able to accept them. *See* 8 U.S.C. § 1231(b). Of course, under the statute and regulations implementing the Convention Against Torture ("CAT"), the United States will not remove any alien to a country where the United States has found he is likely to be tortured—*i.e.*, the extreme scenario where the alien is likely to face severe pain or suffering intentionally inflicted by the hand or with the consent of the public official. The standard for "torture" is a high bar and is plainly not easily met.

Although the INA authorizes removal of aliens who have received a final order of removal to a third country (*see*, 8 U.S.C. § 1231(b)(1)(E)), it does not provide any additional, specific process that aliens must receive under CAT after a final order of removal has been issued but prior to removal to a third country. Congress has delegated the decision regarding the appropriate process entirely to the Executive Branch. *See* 8 U.S.C. § 1231 note. On March 30, 2025, the Department of Homeland Security ("DHS") issued guidance detailing its policy in this context, following Executive Order 14165 regarding removal of aliens subject to final orders of removal. *See* March 30, 2025 Guidance, *attached hereto as* Exhibit D, Executive Order 14165, 90 Fed. Reg. 8467, *attached hereto as* Exhibit E.

The DHS Guidance establishes a two-track system to address aliens who have been ordered removed but for various reasons cannot be sent to a country specifically designated in their removal orders. First, where the United States has received a sufficient assurance from a third country that no aliens will be tortured upon removal there, the Executive may remove the alien to that country

without any further process. *See* Ex. D, Guidance at 1–2. A section applies for countries where the United States has not received such an assurance. In that case, the DHS policy provides that the alien is entitled to notice of the third county and an opportunity for a prompt screening of any asserted fear of being tortured there. *Id.* at 2.

ARGUMENT

Petitioner asserts two main arguments: (1) that his detention violates due process under *Zadvydas* because he allegedly cannot be removed to Cuba, and (2) that his continued detention violates due process. *See generally* ECF No. 1. The Petition should be dismissed for lack of jurisdiction, or alternatively, denied on the merits. ***First***, the Court lacks jurisdiction to entertain challenges to ICE/ERO's decision or action to execute final orders of removal. ***Second***, if the Court reaches Petitioner's argument regarding due process, it should find the claim is without merit. Because Petitioner's *Zadvydas* claim relies on the success of his argument that he cannot be removed, and because Petitioner can be removed to a third country in the reasonably foreseeable future, his claim fails.

I. The Court is without jurisdiction to intervene to prevent Petitioner's removal or stay his transfer.

Section 1252(b)(9) deprives the Court of jurisdiction over Petitioner's request that the Court stay his removal. By seeking a stay of removal, Petitioner plainly challenges ICE/ERO's decision to execute his removal from the United States. In doing so, he seeks "[j]udicial review of [a] question[] of law and fact . . . arising from an[] action taken or proceeding brought to remove [a non-citizen] from the United States[.]" 8 U.S.C. § 1252(b)(9). Accordingly, courts lack jurisdiction to stay removal in a habeas proceeding. *Id.* ("[N]o court shall have jurisdiction, by habeas corpus under section 2241 of title 28 or any other habeas corpus provision . . . to review such an order or such questions of law or fact."). This Court has routinely denied requests for stays

of removal during habeas proceedings. *See, e.g., C.R.L. v. Dickerson*, No. 4:25-cv-175-CDL, 2025 WL 1800209, at *3 (M.D. Ga. June 30, 2025) (recognizing "well-established precedent that this Court has no jurisdiction to interfere with the execution of a final order of removal"); *C.B.M. v. Warden, Stewart Det. Ctr.*, No. 4:19-cv-44-CDL, 2019 WL 5243067, at *1 (M.D. Ga. Aug. 30, 2019) ("The Court lacks jurisdiction to stay Petitioner's removal." (citation omitted)); *Watson v. Stone*, No. 4:13-cv-480-CDL, 2013 WL 6072894, at *2 (M.D. Ga. Nov. 18, 2013) (denying a non-citizen's motion to stay his removal and noting that § 1252(a)(5) "has consistently been interpreted by district courts faced with a motion to stay removal as stripping them of jurisdiction to provide such relief[]" (collecting cases)).

Further, § 1252(g) similarly bars jurisdiction. By requesting a stay of removal, Petitioner seeks to challenge "the decision or action by the Attorney General to . . . execute [her] removal order[.]" 8 U.S.C. § 1252(g). The Eleventh Circuit has made clear that § 1252(g) deprives the Court of jurisdiction to stay removal. In *Camarena v. Director, Immigration and Customs Enforcement*, 988 F.3d 1268 (11th Cir. 2021), two non-citizens subject to final orders of removal "filed . . . habeas petition[s] and . . . emergency motion[s] to halt the execution of [their] removal order[s]." 988 F.3d at 1270-71. The district courts denied their requests for stays of removal, finding they lacked subject matter jurisdiction. *Id.* The Eleventh Circuit affirmed on appeal, holding that the non-citizens' "claims [fell] squarely within § 1252(g)'s jurisdictional bar" because they challenged "the government's execution of [their] removal orders." *Id.* at 1272.

Like the non-citizens in *Camarena*, Petitioner is subject to a final order of removal and seeks a stay of his removal. In doing so, Petitioner challenges ICE/ERO's action to "execute [his] removal order[.]" 8 U.S.C. § 1252(g). As the Eleventh Circuit recognized in *Camarena*, such a challenge "fall[s] squarely within § 1252(g)'s jurisdictional bar[.]" *Camarena*, 988 F.3d at 1272.

The Court, therefore, lacks subject matter jurisdiction over Petitioner's request that his removal be stayed, and his Petition should be denied to the extent he seeks a stay of his removal.

Similarly, to the extent that Petitioner requests that this Court enjoin his transfer, the Court should decline to make any such ruling. DHS is authorized to determine the "appropriate place[] of detention for [non-citizens] detained pending removal or a decision on removal." 8 U.S.C. § 1231(g)(1). Multiple courts of appeals have held that this affords DHS the "discretionary power to transfer [non-citizens] from one locale to another, as [DHS] deems appropriate[.]" *Van Dinh v. Reno*, 197 F.3d 427, 433 (10th Cir. 1999) (citations omitted); *see also Calla-Collado v. Att'y Gen. of U.S.*, 663 F.3d 680, 685 (3d Cir. 2011); *Gandarillas-Zambrana v. Bd. of Imm. Appeals*, 44 F.3 1251, 1256 (4th Cir. 1995); *Rios-Berrios v. INS*, 776 F.2d 859, 863 (9th Cir. 1985). District courts in the Eleventh Circuit have recognized the same. *Golding v. DHS/ICE*, No. 4:19-cv-01160, 2019 WL 11720287, at *2 (N.D. Ala. Oct. 3, 2019); *Sasso v. Milhollan*, 735 F. Supp. 1045, 1048 (S.D. Fla. 1990).

Because any transfer of Petitioner is a discretionary decision by DHS, the Court lacks jurisdiction to enjoin any transfer under 8 U.S.C. § 1252(a)(2)(B)(ii), which provides that

> Notwithstanding any other provision of law (statutory or nonstatutory), including [28 U.S.C. § 2241], or any other habeas corpus provision, . . . *no court shall have jurisdiction to review . . . any other decision or action of the Attorney General or the Secretary of Homeland Security the authority for which is specified under this subchapter to be in the discretion of the Attorney General or the Secretary of Homeland Security*[.]

(emphasis added). Multiple courts have concluded that § 1252(a)(2)(B) deprives district courts of jurisdiction to enjoin DHS's discretionary transfer of a detained non-citizen. *Van Dinh*, 197 F.3d at 433; *Golding*, 2019 WL 11720287, at *2; *Lway Mu v. Whitaker*, No. 6:18-cv-06924, 2019 WL 2373883, at *5 (W.D.N.Y. June 4, 2019). The Court should deny Petitioner's request for an order preventing his transfer.

II. Petitioner is not entitled to relief under *Zadvydas*.

ICE's detention authority stems from 8 U.S.C. § 1231, which provides for the detention and removal of aliens with final orders of removal. Section 1231(a)(1)(A) directs immigration authorities to remove an individual with a final order of removal within a period of 90 days, which is known as the "removal period." During the removal period, ICE must detain the alien. 8 U.S.C. § 1231(a)(2) (noting the mandatory language "shall detain"). If the removal period expires, ICE can either release an individual pursuant to an Order of Supervision as directed by § 1231(a)(3) or may continue detention under § 1231(a)(6). ICE may continue detention beyond the removal period for three categories of individuals: (i) those who are inadmissible to the United States pursuant to 8 U.S.C. § 1182; (ii) those who are subject to certain grounds of removability from the United States pursuant to 8 U.S.C. § 1227; or (iii) those whom immigration authorities have determined to be a risk to the community or "unlikely to comply with the order of removal." 8 U.S.C. § 1231(a)(6)(A). Put another way, if ICE/ERO does not remove an alien within ninety days, detention may continue if it is "reasonably necessary" to effectuate removal for these categories of detainees. *See Zadvydas v. Davis*, 533 U.S. 678, 689 (2001); 8 U.S.C. § 1231(a)(6) (providing that an alien who is subject to mandatory detention, inadmissible, or who has been determined to be a risk to the community or a flight risk, "may be detained beyond the removal period").

In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court determined that, under the Fifth Amendment, detention for six months is presumptively reasonable. 533 U.S. at 700. "After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." *Id.* at 701 (emphasis added); *see also* 8 C.F.R. § 241.13.

Where there is no significant likelihood of removal in the reasonably foreseeable future, the alien should be released from confinement. *Id.*

In *Akinwale v. Ashcroft*, 287 F.3d 1050 (11th Cir. 2002), the Eleventh Circuit further elaborated on the framework announced by the Supreme Court in *Zadvydas*, stating that "in order to state a claim under *Zadvydas* the alien not only must show post-removal order detention in excess of six months but also must provide evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." 287 F.3d at 1052. Thus, the burden is on Petitioner to demonstrate: (1) post-removal order detention lasting more than six months; and (2) evidence of a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future. *Gozo v. Napolitano*, 309 F. App'x 344, 346 (11th Cir. 2009) (per curiam) (quoting *Akinwale*, 287 F.3d at 1051-52).

Here, Petitioner cannot carry his burden under *Zadvydas*. Petitioner argues that he is entitled to release under *Zadvydas* because he has been in detention for more than six months and he alleges that the Government has not shown removal to Cuba is reasonably foreseeable. ECF No. 1, Pet. 5. But Petitioner misapprehends the relevant standard, which places the initial burden of production upon the petitioner to show that removal is not significantly likely in the reasonably foreseeable future. *Akinwale*, 287 F.3d at 1051-52. Petitioner cannot meet his *Zadvydas* burden by simply noting that his removal has been delayed. *See Ortiz v. Barr*, No. 20-CV-22449, 2021 WL 6280186, at *5 (S.D. Fla. Feb. 1, 2021) ("[T]he mere existence of a delay of Petitioner's deportation is not enough for Petitioner to meet his burden." (citations omitted)), *recommendation adopted*, 2022 WL 44632 (S.D. Fla. Jan. 5, 2022); *Ming Hui Lu v. Lynch*, No. 1:15-cv-1100, 2016 WL 375053, at *7 (E.D. Va. Jan. 29, 2016) ("[A] mere delay does not trigger the inference that an alien will not be removed in the foreseeable future." (internal quotations and citations omitted));

Newell v. Holder, 983 F. Supp. 241, 248 (W.D.N.Y. 2013) ("[T]he habeas petitioner's assertion as to the unforeseeability of removal, supported only by the mere passage of time [is] insufficient to meet the petitioner's initial burden . . . ." (collecting cases)). Petitioner's summary statement that he cannot be removed to Cuba in the future is insufficient.

Further, the relevant question for the Court is not limited to the likelihood of Petitioner's removal to Cuba specifically. Rather, it is the likelihood of Petitioner's removal to any appropriate country. Here, Petitioner will be soon issued a Notice of Third Country Removal, informing him that ICE/ERO intends to remove him to a third country and ICE/ERO is anticipating taking steps to effectuate his removal. Johnson Decl. ¶ 17. Thus, Petitioner's removal is scheduled to occur in the reasonably foreseeable future and his *Zadvydas* claim must fail.

CONCLUSION

For the reasons stated above, Respondent respectfully requests that the Court deny the Petition.

Respectfully submitted this 11th day of November, 2025.

WILLIAM R. KEYES
UNITED STATES ATTORNEY

BY: */s/ E. Bowen Reichert Shoemaker*
E. BOWEN REICHERT SHOEMAKER
Assistant United States Attorney
Georgia Bar No. 222443
United States Attorney's Office
Middle District of Georgia
300 Mulberry Street
Macon, GA 31201
Phone: (478) 752-5000
bowen.shoemaker@usdoj.gov

CERTIFICATE OF SERVICE

This is to certify that I have this date filed the Respondent's Response with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

N/A

I further certify that I have this date mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants:

Rene Infante Nunez
A# [redacted]
Stewart Detention Center
P.O. Box 248
Lumpkin, GA 31815

This 11th day of December, 2025.

BY: */s/ E. Bowen Reichert Shoemaker*
E. BOWEN REICHERT SHOEMAKER
Assistant United States Attorney