

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JAYSON TIKUM MBABID,

Petitioner,

v.

NIKITA BAKER, Acting Director, U.S.
Immigration and Customs Enforcement
Baltimore Field Office, *et al.*

Respondents.

Case No. 8:25-cv-03505-MJM

**OPPOSITION TO HABEAS PETITION
AND MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Respondents, by undersigned counsel, hereby files this opposition to Petitioner's Amended Habeas Petition, and moves to dismiss this case under Rule 12(b)(6) for failure to state a claim. The grounds and authorities for this Motion are set forth in the accompanying Memorandum of Law, which Respondents incorporate herein by reference.¹

WHEREFORE, Respondents respectfully request that the Court grant the relief requested and enter the attached proposed order.

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: /s/ Ariana Wright Arnold
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Counsel for Respondents

¹ Respondents have already filed a Motion to Dismiss or Transfer this case for lack of jurisdiction as the Petition was filed after Petitioner had boarded a plane from New Jersey to Louisiana, *en route* to El Paso, Texas. Respondents urge the Court to address that issue before reaching the merits of the case.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Opposition to Habeas Petition and Motion to Dismiss was e-filed and thereby served on counsel of record.

/s/ Ariana Wright Arnold
Ariana Wright Arnold
Assistant United States Attorney