

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CARLOS MEJIA DIAZ,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 25 C 13881
	)	
KRISTI NOEM, Secretary,	)	Judge Kendall
DEPARTMENT OF HOMELAND	)	
SECURITY, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**RESPONDENTS' STATUS REPORT**

Pursuant to this court's minute order of November 12, 2025, Dkt. 4, respondents' counsel writes to apprise the court with the following information regarding petitioner Carlos Mejia Diaz:

**(1) State whether Petitioner was located in the Northern District of Illinois at the time this case was filed:**

At the time his petition was filed, Diaz was detained at the Miami Correctional Center located in Bunker Hill, Indiana, which is within the Northern District of Indiana. Respondents' position is that venue in a habeas case is proper in the district where the detainee was at the time of filing.

**(2) The current status of Petitioner's immigration proceedings:**

On September 14, 2011, Diaz was issued a Notice to Appear for removal proceedings. He is currently scheduled to appear before an immigration judge on July 8, 2027 at the immigration court in Indianapolis, Indiana. U.S. Immigration and Customs Enforcement

(“ICE”) is in the process of completing the paperwork for Diaz to be scheduled for a hearing before an immigration judge in detained court, however.

**(3) Petitioner's current location and proper Respondent based on that location:**

Diaz is at the Miami Correctional Center, 3038 West 850 South, Bunker Hill, Indiana, 46914.

**(4) Government’s view regarding effect of Castanon Nava consent decree on habeas case:**

This court’s order requests the government’s view as to whether the recent decision about the settlement in *Castanon-Nava v. DHS*, No. 18 C 3757 (N.D. Ill.) (Dkt. 214) has any effect on Diaz’s habeas corpus case (including whether Petitioner was arrested with or without a warrant). In this instance, Diaz was arrested by ICE on November 10, 2025, pursuant to an admirative warrant.

Regardless, this case is not about the lawfulness of arrest where, as here, it is undisputed that Diaz is a foreign national who illegally made his way into the United States.

There is no application of the exclusionary rule to “suppress” Diaz from his own removal proceedings. *See United States v. Chagoya-Morales*, 859 F.3d 411, 418 (7th Cir. 2017) (“The ‘body’ or identity of a defendant or respondent in a criminal or civil proceeding is never itself suppressible as a fruit of an unlawful arrest, even if it is conceded that an unlawful arrest, search, or interrogation occurred.” (quoting *INS v. Lopez-Mendoza*, 468 U.S. 1032, 1039–40 (1984))).

If Diaz believes that this petition is covered by *Castanon-Nava* then Diaz should file an individual claim in that case. The period covered by the settlement agreement in that case was recently extended by the court to February 2, 2026, and there is claim mechanism that must be followed. A link to the claim mechanism can be found at:

<https://immigrantjustice.org/referral-form-castanon-nava-settlement-violations-formulario-de-remision-sobre-violaciones-del-acuerdo-castanon-nava/>.

In addition, the settlement remedy of release articulated in *Castanon-Nava* does not apply to foreign nationals who are subject to mandatory detention. *See Castanon-Nava v. DHS*, No. 18 C 3757, Dkt. 214, slip op. at 9 (N.D. Ill. Oct. 7, 2025) (discussing exceptions, “such as where the class member is subject to mandatory detention pursuant to the INA”).

Respectfully submitted,

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