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December 30, 2025

VIA ECF

Honorable John L. Sinatra, Jr.
United States District Judge
Western District of New York
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: Donaye-Contreras v. Noem, et al.,
Case No. 1:25-cv-01272-JLS

Dear Judge Sinatra, Jr.:

This office represents Petitioner, Francisco Antonio Donaye-Contreras in the above-referenced habeas corpus action. I respectfully submit this brief status report pursuant to the text order issued by the Hon. John L. Sinatra, Jr. on December 22, 2025. This letter is written on behalf of all parties to comply with Your Honor's December 22, 2025 Order directing the parties to submit a status report.

On November 26, 2025, the office filed a Petition for Writ of Habeas Corpus (*See* ECF-1). On December 2, 2025, your Honor issued a text order, which ordered Counsels to confer a briefing schedule on the petition and file a letter outlining their proposed briefing schedule by December 5, 2025. The order also ordered the Clerk of Court to serve a copy of the petition (Dkt. 1), and a copy of the text order, electronically via a Notice of Electronic Filing to the United States Attorney's Office, Western District of New York.

Once December 3, 2025, Adam A. Khalil from the United States Attorney's Office filed a Notice of Appearance. Mr. Khalil filed a joint letter with the proposed briefing schedule of Respondents' response due December 15, 2025 and the Petitioner's reply due December 18, 2026 (*See* ECF 5). A correction was made to the letter to reflect the correct year for the Petitioner's reply due to December 18, 2025.

Your Honor issued a text order, granting the request for the proposed briefing schedule (*See* ECF 7). The Respondents were ordered to respond to the Petition on or before December 15, 2025, and Petitioner was ordered to reply on or before December 18, 2025. The Court would schedule oral argument at a later date, if necessary.

On December 8, 2025, Respondents filed a motion to dismiss the Petition for failure to state a claim (*See* ECF 8).

On December 22, 2025, the parties were ordered to file a status report by December 30, 2025 (*See* ECF 9). On December 22, 2025, the Petitioners filed a response to the motion to dismiss for failure to state a claim (*See* ECF 10). On December 23, 2025, the Respondents filed a reply to the response to motion (*See* ECF 11).

According to the ICE Detainee Locator, the Petitioner is currently being held at the Buffalo Federal Detention Facility located at 4250 Federal Drive, Batavia, NY 14020. He remains in an active removal proceedings, with an Individual Hearing scheduled for February 2, 2026.

Thank you for the Court's consideration.

Respectfully submitted,

/s/ Andrea C. Soto

Andrea C. Soto, Esq.
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Attorney for Petitioner

cc via ECF: Adam A. Khalil, Esq.

/s/ Andrea C. Soto

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