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December 6, 2025

By ECF

The Honorable Jessica G. L. Clarke
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Perez Sandoval v. Arteta, et al., No. 25-cv-9922 (JGLC)
Petitioner's Reply to Government's Response, and Request for Immediate Release

Dear Judge Clarke:

I represent Petitioner Kennedy Perez Sandoval in the above-referenced habeas corpus petition. I respectfully write regarding the hearing currently scheduled for December 11, 2025, pursuant to the Court's Order to Show Cause.

Respondents have now filed their response, which expressly acknowledges that this Court's recent decision in *Rocano Buestan v. McShane*, No. 25-cv-8544 (JGLC), controls the outcome here. Govt Response, Dkt. No. 5. The government states that "the Court's decision would control the result in this case" and concedes that the facts in Mr. Perez Sandoval's case are "materially indistinguishable" from *Rocano Buestan*. *Id.* at 3.

Respondents further indicate that they filed their submission "to conserve judicial resources and to expedite the Court's consideration of this case," *id.*, and do not request any evidentiary development.

Because the government has effectively acknowledged that *Rocano Buestan* requires Mr. Perez Sandoval's release, and because no material factual dispute exists, Petitioner respectfully submits that a hearing is unnecessary. The Court is authorized under 28 U.S.C. § 2243 to resolve a habeas petition on the papers "forthwith," and the government's response removes any remaining question as to the applicable legal standard and the proper remedy. As in *Rocano Buestan*, the government has not shown a legitimate governmental interest sufficient to justify continued detention, and this Court has already held that immediate release—rather than a bond hearing—is the appropriate remedy under materially identical circumstances.

Petitioner therefore respectfully requests that the Court cancel the December 11 hearing and order his immediate release without further delay. Each additional day of detention compounds the precise constitutional injury this Court found determinative in *Rocano Buestan*,

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and the government has offered no reason that would justify prolonging Mr. Perez Sandoval's confinement.

Should the Court wish to proceed with the hearing as scheduled, Petitioner will, of course, appear and be prepared to address any questions the Court may have. However, in light of the government's position and the controlling authority already issued by this Court, Petitioner respectfully submits that further proceedings are unnecessary and that prompt issuance of a release order is warranted.

Thank you for the Court's continued attention to this matter.

Respectfully submitted,

/s/ Jonathan Langer

Jonathan Langer

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