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Via ECF

The Honorable Charles Eskridge
United States District Judge
Bob Casey United States Courthouse
515 Rusk Avenue
Houston, TX 77002

Re: *Herrera-Naranjo v. Uhls*, No. 25-cv-5756

Dear Judge Eskridge:

While the Court has not provided us with a reply deadline, we wish to write briefly to respond to a pair of arguments by the Government. *First*, the Government characterizes Petitioner’s statutory argument as appealing to “colloquial” (some might say “ordinary”) English usage. The Government argues “[t]his colloquial argument is wrong because the INA does not speak colloquially—and certainly not in this context.” Dkt. No. 10 at 4 (emphasis in original). The Government cites no source for this claim, probably because it is untrue. Complex as it may be, the INA is still a statute. And “statutory terms bear their ordinary meaning ‘until and unless someone points to evidence suggesting otherwise.’” *Monsalvo Velazquez v. Bondi*, 604 U.S. 712, 725 (2025) (quoting *Niz-Chavez v. Garland*, 593 U.S. 155, 163 (2021)).

Second, the Government describes our treatment of the “hallway” arrest cases as “a mischaracterization of the law, . . . incorrectly suggesting that a particular fact involved in a particular ruling had any bearing on that ruling.” Dkt. No. 10 at 6–7. But while these cases certainly involved myriad arguments, it is not disingenuous to suggest that the location and timing of the arrests played a role in the analyses. Take just one case, *Francois v. Wamsely*, 2025 WL 3063251 (W.D. Wash. Nov. 3, 2025). The Government claims this case “offers no support” because “the petitioner” (there were, in fact, two) was arrested outside Walmart. *Id.* at 7 n.7. But “Petitioner Francois . . . was immediately arrested in the hallway outside the courtroom” after he “appeared at court in Seattle.” *Id.* at * 2. And in holding that the arrest was unconstitutional, the court relied in part on the fact that “Respondents ha[d] not shown . . . how their actions ha[d] done anything but cause more confusion and potential delays.” *Id.* at *5. If there *does* exist a district court decision anywhere in the country blessing one of these arrests, the Government has yet to identify it. *See* Dkt. No. 10 at 7 n.6.

We thank Your Honor for considering this submission.

Respectfully,

/s/ Reuben S. Kerben
Attorney for Petitioner

c. Respondents’ counsel (via ECF).