UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Erika Noemy Alcantara De Erazo, *et al.*, Petitioners, v. Donald J. TRUMP, in his official capacity as President of the United States, *et al.*, Respondents.	25 Civ. 10098 (ALC) **RETURN TO HABEAS PETITION**

Under 28 U.S.C. § 2243, Respondents respectfully submit this Return, together with the accompanying Memorandum of Law and Declaration of Deportation Officer Daniel Moreno, in opposition to the Petition for Writ of Habeas Corpus ("Petition"), filed by petitioners Erika Noemy Alcantara De Erazo ("Alcantara De Erazo"), J.N.E.A., and E.N.E.A. (collectively, "Petitioners"). *See* ECF No. 1. The attached documents are taken from Petitioners' administrative files, as maintained by and provided to this Office by U.S. Immigration and Customs Enforcement.

1. Exhibit A is an encounter summary regarding an ICE encounter with Petitioners on November 2, 2023.

2. Exhibit B is a copy of the Notice to Appear served on Alcantara De Erazo on November 2, 2023.

3. Exhibit C is a copy of the Notice to Appear served on E.N.E.A. on November 2, 2023.

4. Exhibit D is a copy of the Order of Release on Recognizance issued to Alcantara De Erazo on November 3, 2023.

5. Exhibit E is a copy of the Immigration Judge's *in absentia* removal order in Petitioners' removal proceedings, dated January 26, 2024.

6. Exhibit F is a copy of the Immigration Judge's denial of Petitioners' motion to reopen their removal proceedings, dated April 4, 2024.

7. Exhibit G is a copy of in-person office visit notes and Individual Service Plan for November 5, 2025, in connection with Alcantara De Erazo's participation in the Intensive Supervision Appearance Program ("ISAP").

8. Exhibit H is a copy of in-person office visit notes and Individual Service Plan for December 3, 2025, in connection with Alcantara De Erazo's participation in ISAP.

9. Exhibit I is a copy of the Warrant of Removal/Deportation, Form I-205, a copy of the Warning to Alien Ordered Removed or Deported, Form I-294, a copy of the Warning for Failure to Depart, Form I-229(a), and a copy of the Record of Deportable/Inadmissible Alien, Form I-213, with sworn statement, issued to Alcantara De Erazo on December 4, 2025.

10. Exhibit J is a copy of the Warrant of Removal/Deportation, Form I-205, a copy of the Warning to Alien Ordered Removed or Deported, Form I-294, a copy of the Warning for Failure to Depart, Form I-229(a), and a copy of the Record of Deportable/Inadmissible Alien, Form I-213, issued to J.N.E.A. on December 4, 2025.

11. Exhibit K is a copy of the Warrant of Removal/Deportation, Form I-205, a copy of the Warning to Alien Ordered Removed or Deported, Form I-294, a copy of the Warning for Failure to Depart, Form I-229(a), and a copy of the Record of Deportable/Inadmissible Alien, Form I-213, issued to E.N.E.A. on December 4, 2025.

The facts contained in Exhibits A through K, and in the Declaration of Deportation Officer Daniel Moreno, and the law set forth in Respondents' memorandum of law in opposition to the Petition, establish that Petitioners' detention is lawful.

WHEREFORE, Respondents respectfully request that the Court enter judgment denying the Petition.

Dated: New York, New York
December 11, 2025

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York
Attorney for Respondents

By: */s/ David Farber*
DAVID E. FARBER
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2772
E-mail: david.farber@usdoj.gov