U.S. Department of Justice

United States Attorney for the
Southern District of New York

86 Chambers Street, Third Floor
New York, New York 10007

January 9, 2026

VIA ECF
The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Perez Quintero v. Francis, et al.*, No. 25 Civ. 10107 (MKV)

Dear Judge Vyskocil:

This Office represents respondents (the "Government") in the above-referenced habeas corpus action. As permitted by the Court in its endorsed order dated January 5, 2026 (ECF No. 21), we write respectfully to address two points raised in Petitioner's reply memorandum of law ("Reply Br.") (ECF No. 22).

First, Petitioner contends that her release from humanitarian parole in September 2022 pursuant to 8 U.S.C. § 1182(d)(5)(A) distinguishes her case from this Court's decisions in *Chen v. Almodovar*, 25 Civ. 8350 (MKV), 2025 WL 3484855 (S.D.N.Y. Dec. 4, 2025), and *Liang v. Almodovar*, 25 Civ. 9322 (MKV), 2025 WL 3641512 (S.D.N.Y. Dec. 15, 2025), because the petitioners in both cases had not received parole upon entry. Reply Br. at 3–4. However, *Chen* and *Liang* still apply to Petitioner's claims in this case, because the parole statute makes clear that "such parole of such alien shall not be regarded as an admission of the alien . . . ." 8 U.S.C. § 1152(d)(5)(A).

Second, Petitioner did not provide additional facts and arguments in support of her claim that the Government is violating Petitioner's substantive due process right to adequate medical care, First Am. Pet. ¶¶ 95–97, and "reserve[d] the right" to provide further arguments in support of this claim at an unspecified time because Petitioner's counsel has not received her medical records. Reply Br. at 1 n.1; *see also* Pet.'s Ltr. Mot. for Extension of Time dated Dec. 23, 2025 (ECF No. 18), at 1 ("An extension is warranted in order for Petitioner to receive the medical records that Petitioner has requested from Petitioner's prior and current medical doctors, in order to provide the Court a more detailed account of the medical care that she is being denied at Richwood Correctional Center, where she is currently housed."). This Court should deny any request for supplemental briefing and supplementation of the record regarding Petitioner's substantive due process claim. To the extent records relating to Petitioner's "current medical doctors" refer to records of her care at the Richwood Correctional Facility, the Government provided those records as of December 23, 2025, when it filed its opposition to the First Amended Petition. (ECF No. 15–5). More generally, any prior or current medical records that were never provided to the Richwood Correctional Facility are not relevant to establishing that the facility had

knowledge of any sufficiently serious medical needs and deliberately or recklessly provided insufficient medical care to address those needs. *See generally* Respondents' Letter Brief dated Dec. 23, 2025 (ECF No. 17), at 6–7.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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

By: */s/ Tomoko Onozawa*
TOMOKO ONOZAWA
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2721
E-mail: tomoko.onozawa@usdoj.gov

cc: All Counsel of Record (via ECF)