

1 Rene L. Valladares  
 Federal Public Defender  
 2 Nevada State Bar No. 11479  
 3 \*Ellesse Henderson  
 Assistant Federal Public Defender  
 4 California State Bar No. 302838  
 \*Margaret Lambrose  
 5 Assistant Federal Public Defender  
 Nevada State Bar No. 11626  
 6 411 E. Bonneville Ave., Ste. 250  
 7 Las Vegas, Nevada 89101  
 (702) 388-6577  
 8 Ellesse\_Henderson@fd.org

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 10 \*Attorneys for Petitioner Juak Albino Gabriel Biel

11  
 12 UNITED STATES DISTRICT COURT  
 13 DISTRICT OF NEVADA

14 Juak Albino Gabriel Biel,  
 15 Petitioner,

16 v.

17 John Mattos, NSDC Warden; Michael  
 Bernacke, Field Director, Salt Lake City  
 18 Field Office of ICE ERO; Todd Lyons, ICE  
 Acting Director; Kristi Noem DHS  
 19 Secretary; Pam Bondi, U.S. Attorney  
 20 General

21 Respondents.

Case No. 2:25-cv-02432-APG-EJY

**Supplemental Brief**

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1 This Court on January 16, 2026, ordered supplemental briefing addressing  
2 whether Petitioner Juak Albino Gabriel Biel's removal to South Sudan—a country  
3 that did not exist when he fled Sudan with his family at five years of age—would  
4 qualify as a third-country removal. On information and belief, Mr. Biel was born in  
5 the region that is now South Sudan, to parents and grandparents also from that  
6 region. As a result, it appears South Sudan would recognize Mr. Biel as a citizen,  
7 despite not living in the country when it gained its independence from Sudan in  
8 2011. *See* Laws of South Sudan, *The Nationality Act, 2011*, Chapter III, Nationality  
9 by Birth, available at [https://mojca.gov.ss/wp-content/uploads/2023/03/Nationality-](https://mojca.gov.ss/wp-content/uploads/2023/03/Nationality-Act-2011.pdf)  
10 [Act-2011.pdf](https://mojca.gov.ss/wp-content/uploads/2023/03/Nationality-Act-2011.pdf).

11 But this acknowledgment in Mr. Biel's case is not a concession that anyone  
12 born in that region before South Sudan's independence would be recognized as a  
13 South Sudanese citizen. Had Mr. Biel's parents and grandparents not been born in  
14 the region that is now South Sudan, a strong argument could be made that Mr.  
15 Biel's removal to South Sudan would be a third-country removal, despite his place  
16 of birth in the southern region of Sudan. *Id.*

17 Finally, as this Court is aware, South Sudan has now issued a passport to  
18 Mr. Biel, and the parties have stipulated to modify this Court's transport order to  
19 permit ICE to promptly arrange his removal to South Sudan. Mr. Biel respectfully  
20 requests that this Court set a status check in approximately two weeks, at a date  
21 and time convenient to this Court, to confirm that his removal has occurred. Mr.  
22 Biel further requests that this Court defer any further action on the petition until  
23 his departure from the United States to South Sudan has been confirmed.  
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Dated January 23, 2026

Respectfully submitted,

Rene L. Valladares  
Federal Public Defender

*/s/ Ellesse Henderson*

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Ellesse Henderson  
Assistant Federal Public Defender

*/s/ Margaret Lambrose*

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Margaret Lambrose  
Assistant Federal Public Defender


**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been filed on January 23, 2026. I personally served a true and correct copy of the foregoing supplemental brief by CM/ECF to the following individuals:

Tamer Botros  
 DOJ-USAO  
 501 Las Vegas Blvd. South  
 Ste # 1000  
 Las Vegas, NV 89101  
 Email: Tamer.Botros@usdoj.gov

Sigal Chattah  
 Acting US Attorney, District of Nevada  
 501 Las Vegas Blvd, Ste 1100  
 Las Vegas, NV 89101  
 Email: Sigal.Chattah@usdoj.gov

I further certify that some of the participants in the case are not registered electronic filing system users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following person:

Juak Albino Gabriel Biel,  Nevada Southern Detention Center 2190 E Mesquite Avenue Pahrump, NV 89060	Todd Lyons 500 12th St SW Washington, DC 20536
Pam Bondi Attorney General U.S. Department of Justice 950 Pennsylvania Ave, NW, Washington, DC, 20530	John Mattos, Warden Nevada Southern Detention Center 2190 E Mesquite Avenue Pahrump, NV 89048
Kristi Noem Secretary of the Department of Homeland Security 2707 Martin Luther King Jr. Ave SE, Washington, DC 20528	Michael Bernanke Salt Lake City ICE Field Office Director 2975 Decker Lake Drive, Ste 100 West Valley City, UT 841179-6096

*/s/ Mayra Castillo*  
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 An Employee of the  
 Federal Public Defender