

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

Felix Amilcar Ayala Hernandez,

*

Petitioner,

*

Case No. 1:25-cv-04179-LKG

v.

*

Kristi Noem, *et al.*,

*

Respondents.

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* * * * *

**RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS AND MOTION TO
DISMISS AND OPPOSITION TO MOTION FOR TEMPORARY RETRAINING
ORDER**

Respondents, Kristi Noem, United States Department of Homeland Security (“DHS”) Secretary, Pamela Bondi, Attorney General, Todd M. Lyons, Acting Director, United States Immigration and Customs Enforcement (“ICE”), and Nikita Baker, Field Office Director, Baltimore Field Office,¹ by and through undersigned counsel, Kelly O. Hayes, United States Attorney for the District of Maryland, and Beatrice C. Thomas, Assistant United States Attorney for that District, respond to the Petition for Writ of Habeas Corpus (ECF No. 1) (the “Petition”) and further move this Court to dismiss the Petition in its entirety pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for the reasons set forth in the accompanying Memorandum of Law, which is incorporated by reference herein.

WHEREFORE, Respondents respectfully request that the Court deny the Petition and dismiss it in its entirety.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), upon the departure of a public officer sued in their official capacity, “[t]he officer’s successor is automatically substituted as a party.” Fed. R. Civ. P. 25(d). Jeremy Bacon has recently been named Acting Field Office Director for the ICE Baltimore Field Office. Thus, he is automatically substituted as the respondent for former-Acting Field Office Director Nikita Baker.

Dated: December 23, 2025

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: /s/ Beatrice C. Thomas
Beatrice C. Thomas (Bar No. 21969)
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Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of December, 2025, a copy of the foregoing Response to Petition for Writ of Habeas Corpus and Motion to Dismiss with the accompanying Memorandum of Law in Support thereof and all supporting exhibits was served via CM/ECF on all parties and counsel receiving electronic notice in this case.

/s/ Beatrice C. Thomas
Beatrice C. Thomas (Bar No. 21969)
Assistant United States Attorney