

MELISSA HOLYOAK, United States Attorney (9832)
MICHAEL KENNEDY, Assistant United States Attorney (8759)
JOEL A. FERRE, Assistant United States Attorney (7517)
Attorneys for the United States of America
111 South Main Street, Suite 1800
Salt Lake City, Utah 84111
(801) 524-5682
joel.ferre@usdoj.gov

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

FEDERICO REYES VASQUEZ,

Petitioner,

v.

KRISTI NOEM, in her official capacity as
Secretary of the Department of Homeland
Security, et al.,

Respondents.

**RESPONDENT'S AMENDED
STATUS REPORT**

Case No. 2:25-cv-1146-JNP

Chief Judge Jill N. Parrish

Pursuant to the Court's December 31, 2025, Order¹ Respondents submit this status report. Petitioner is a citizen of Mexico, who entered the United States illegally at least as early as February 2003.² He was removed from the United States twice, first in March 2003 and again

¹ ECF No. 13.

² ECF No. 10; 10-1 ¶ 5.

in January 2005.³ Sometime thereafter he again entered the United States without inspection and was arrested by ICE on December 19, 2025. ICE detained Petitioner pursuant to an immigration judge's prior final order of removal and under authority of 8 U.S.C. § 1231(a)(5).⁴ He was removed from the United States on December 23, 2025, while removing authorities were still unaware of this Court's December 22, 2025, Order⁵ prohibiting his removal.⁶

On December 31, 2025, the Court ordered Respondents to facilitate Petitioner's return to the United States.⁷ The same Order required Respondents to provide a status report to the Court within 10 days of the Order.⁸ Petitioner, through his lawyer, has indicated he wishes to return to the United States.⁹ Undersigned counsel for the United States informs the Court that ICE was made aware of the Court's Order to facilitate Petitioner's return and is informed that ICE has assigned an officer to handle compliance with the Order. ICE informs counsel for the United States that compliance with the Court's Order requires the cooperation and assistance of Petitioner's counsel. ICE further reports that the assigned officer has reached out to Petitioner's attorney to discuss Petitioner's return, including travel arrangements to transport Petitioner from

³ *Id.* ¶¶ 9-14.

⁴ *Id.* ¶ 15.

⁵ ECF No. 4.

⁶ ECF No. 10; 10-1 ¶ 16.

⁷ ECF No. 13.

⁸ *Id.*

⁹ *Id.*

the interior of Mexico to the closest port of entry. ICE reports that its officer has not heard back from Petitioner's lawyer.

After filing its initial Status Report, Petitioner's counsel addressed the following e-mail to Respondents' counsel:

Good afternoon, I saw a status update that says that I have not responded to [the ICE] Officer . . . regarding travel back to the United States, as you can see from our correspondence, the last correspondence came from me:

"He does not have means to get to the border himself. I did discuss with him and if the government could coordinate a bus ticket he can get to Nogales and present himself there. As soon as is necessary."

I have provided a contact number, location, and a plan to bring him to a port of entry. Is there a communication that I am missing? I am happy to continue working on bringing him back as soon as possible. If I have not missed any communication I do ask that you retract the statement that states that I have not communicated with ICE, because I have responded to every communication. Thank you.

MELISSA HOLYOAK
United States Attorney

/s/ Joel A. Ferre
JOEL A. FERRE
MICHAEL KENNEDY
Assistant United States Attorneys