

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

EDUAR VILLANUEVA-MILLA,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

No. 26 Civ. 349 (GHW)

**RETURN TO HABEAS PETITION**

Under 28 U.S.C. § 2243, Respondent respectfully submits this Return, together with the accompanying letter and Declaration of Supervisory Detention and Deportation Officer Frank Franco, in opposition to the Petition for Writ of Habeas Corpus (“Petition”), filed by petitioner Eduar Santiago Villanueva-Milla (“Petitioner”). (ECF No. 1). The attached documents are taken from Petitioner’s administrative file, as maintained by and provided to this Office by U.S. Immigration and Customs Enforcement.

1. Exhibit A is a copy of a Warrant for Arrest of Alien (Form I-200), dated January 13, 2018.
2. Exhibit B is a copy of a Record of Deportable/Inadmissible Alien (Form I-213), dated January 13, 2018.
3. Exhibit C is a copy of a Notice to Appear (Form I-862) issued to Petitioner, dated January 13, 2018.
4. Exhibit D is a copy of the U.S. Department of Health and Human Services’ Office of Refugee and Resettlement Verification of Release, dated March 5, 2018.
5. Exhibit E is a copy of a Record of Deportable/Inadmissible Alien (Form I-213), dated January 12, 2026.

6. Exhibit F is a copy of a Warrant for Arrest of Alien (Form I-200), date January 12, 2026.

7. Exhibit G is a copy of a Notice to Appear (Form I-862) issued to Petitioner, dated January 12, 2026.

8. Exhibit H is a copy of the Respondents' Memorandum of Law in Opposition to the Petition for a Writ of Habeas Corpus filed in *Deras Arana v. Arteta*, 26 Civ. 240 (GHW) (ECF No. 11).

9. The facts contained in these Exhibits and in the Declaration of Supervisory Detention and Deportation Officer Frank Franco, and the law set forth in Respondents' Memorandum of Law in Opposition to the Petition for a Writ of Habeas Corpus filed in *Deras Arana v. Arteta*, 26 Civ. 240 (GHW) (ECF No. 11) and the letter filed herewith dated January 22, 2026, establish that Petitioner's detention is lawful.

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

Dated: New York, New York  
January 22, 2026

Respectfully submitted,

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

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