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February 11, 2026

BY ECF

Honorable Eric R. Komitee
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Saini v. Maldonado*, 26-cv-00607 (Komitee, J.)

Dear Honorable Judge Komitee:

This Office represents Petitioner in this matter and responds pursuant to the Court's Order, ECF No. 4.

I. Respondents Proffer No Supporting Documents that Shed Light on the Statute of Detention

Unlike most other habeas proceedings being litigated in the tri-state area and across the country, Respondents have not provided to the Court any of the underlying supporting documentation in its possession related to Petitioner's case. Most commonly, this would include the paperwork authorizing Petitioner's release in 2023, and the warrant authorizing his re-detention in 2025. Almost always, these documents indicate that release and detention is authorized pursuant to 8 U.S.C. § 1226. Respondents offer no explanation for why these documents are not provided.¹

II. Reply to Respondents' Letter

Petitioner submits that this action is legally indistinguishable from the Court's previous determinations in *Sarmiento Guerra v. Noem*, No. 25-5881 (EK), 2025 WL 3214787 (E.D.N.Y. Nov. 18, 2025) and *Singh v. Maldonado*, 1:26-cv-00292-EK (Feb. 2, 2026) ("*Singh*"). Nothing in the caselaw cited by Respondents dictates a different result.

¹ The Declaration of Deportation Officer Jonathan Melo, ECF No. 5-1, is wholly conclusory to the extent he proclaims that on November 26, 2025, "ICE cancelled the Order of Release on Recognizance and arrested and detained Petitioner pursuant to INA § 235(b)(2)(A)." See ECF No. 5-1, ¶5.

III. Remedy

Petitioner respectfully requests an order of immediate release as a remedy to his unlawful detention. This is what the Court found appropriate in *Singh*, a factually indistinguishable case. Such an order would also be consistent with the orders of numerous judges within this judicial District who have found immediate release the proper remedy. *See, e.g., Crespo Tacuri v. Gemalo*, 25-CV-06896 (NCM), 2026 WL 35569, at *7-8 (E.D.N.Y. Jan. 6, 2026) (ordering release; “[h]abeas is at its core a remedy for unlawful executive detention. The typical remedy for such detention is, of course, release.”) (*quoting Munaf v. Green*, 553 U.S. 674, 693 (2008)); *Ulloa Montoya v. Bondi*, 25-CV-06363 (JMA), 2025 WL 3718694, at *6 (E.D.N.Y. Dec. 23, 2025) (ordering release; “release from detention is the ‘typical remedy’ for ‘unlawful executive detention,’ *Munaf v. Green*, 553 U.S. 674, 693 (2008), and Respondents posit no alternative remedy here”); *Padilla Molina v. Deleon*, 25-cv-06526 (JMA), 2025 WL 3718728, at *6 (E.D.N.Y. Dec. 23, 2025) (ordering release); *Rodriguez-Acurio v. Almodovar*, --- F. Supp. 3d ---, 2025 WL 3314420, at *31-*32 (E.D.N.Y. 2025) (same); *Hyppolite v. Noem*, 25-CV-4304 (NRM), 2025 WL 2829511, at *16 (E.D.N.Y. Oct. 6, 2025) (same); *Artiga v. Genalo*, 25-CV-5208 (OEM), 2025 WL 2829434, at *9 (E.D.N.Y. Oct. 5, 2025) (same); *J.U. v. Maldonado*, --- F. Supp. 3d ---, 2025 WL 2772765, at *10 (E.D.N.Y. Sept. 29, 2025) (same).

Respectfully submitted,

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