United States Department of Justice

United States Attorney
Northern District of New York

445 Broadway, Room 218
James T. Foley U.S. Courthouse
Albany, New York 12207-2924

Tel.: (518) 431-0247
Fax: (518) 431-0386

June 4, 2026

VIA CM/ECF
Hon. Anthony J. Brindisi
U.S. District Judge
Alexander Pirnie Federal Bldg.
and U.S. Courthouse
10 Broad Street
Utica, NY 13501

RE: ***Sivanantharsha v. Askhkar, et al.***
Civil Action No. 9:26-cv-00398-AJB

Dear Judge Brindisi,

I write seeking clarification whether this Court's March 15, 2026 Order enjoining Respondents from "moving Petitioner outside the jurisdiction of the Northern District of New York until this civil action is resolved" (the "anti-transfer injunction," *see* Dkt. No. 2) remains in effect. If so, Respondents request that the order be modified to restrict Petitioner's transfer from the Northern ***or Western*** Districts of New York.

Petitioner filed a petition for a writ of habeas corpus on March 15, 2025. The Court entered the anti-transfer injunction the same day. On April 2, 2026, the Court granted the Petition, ordering that Petitioner be afforded a bond hearing within ten days. Dkt. No. 8. Judgment entered the same day. Dkt. No. 9. On April 10, 2026, Respondents confirmed that a bond hearing was held and bond was denied. Dkt. No. 10. Thereafter, on April 27, 2026, Petitioner filed a Motion to Enforce Judgment. Dkt. No. 11. That motion is now fully briefed and awaiting decision.

The docket reflects that this action was terminated on April 2, 2026—the date that judgment entered. The entry of judgement should have terminated the anti-transfer injunction by its terms. However, in light of the pending motion, Respondents seek clarification whether the anti-transfer injunction remains in place until the motion is decided.

If the anti-transfer injunction remains in place, Respondents respectfully request that it be modified to restrict Petitioner's transfer outside the Northern ***or Western*** Districts of New York. Under the Immigration and Nationality Act, ICE has the authority to arrange for places of detention of aliens. 8 U.S.C. § 1231(g)(1). Detainees may in the ordinary course be transferred between facilities. *See, e.g., Garland v. Aleman Gonzalez*, 596 U.S. 543, 570 (2022) (Sotomayor, *J.*, concurring in the

judgment in part and dissenting in part); *Demore v. Kim*, 538 U.S. 510, 554 (2003) (Souter, *J.*, concurring in part and dissenting in part).

I have consulted with Petitioner's counsel, who consents to Respondent's request to modify the anti-transfer injunction to also include the Western District of New York.

Thank you for your consideration of this request.

Respectfully Submitted,

TODD BLANCHE
Acting United States Attorney General

JOHN A. SARCONE III
First Assistant United States Attorney

By: _____

Karen Folster Lesperance
Assistant United States Attorney
Bar Roll No. 514108

Alexis M. Osborne
Assistant United States Attorney
Bar Roll No. 707475