

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

MACEDONIO APARICIO DE ROSARIO

Petitioner,

Case No.: No. 26-cv-1958

Hon. Chad F. Kenney

v.

JOHN RIFE, in his official capacity as
ICE Field Office Director; KRISTI NOEM,
in her official capacity as Secretary of Homeland
Security, and TODD M. LYONS, in his official
capacity as Acting Director of Immigration and
Customs Enforcement, JAMAL LAWRENCE
JAMISON, Warden of the Philadelphia Federal
Detention Center, and PAMELA BONDI,
in her official capacity as Attorney General of
the United States,

Respondents.

MOTION TO ENFORCE AND FOR IMMEDIATE RELEASE

Petitioner, through undersigned counsel, respectfully moves to enforce this Court's Order and for immediate release.

1. On March 26, 2026, this Court ordered that Respondents shall not remove Mr. Rosario from the Eastern District of Pennsylvania without further order of the Court (ECF No. 2).
2. On March 26, 2026, counsel was informed that Mr. Rosario was transferred out of the Eastern District of Pennsylvania. Counsel believes Respondents transferred Petitioner to Moshannon Valley Processing Center in the Western District of Pennsylvania.
3. That transfer violates this Court's Order.

4. Respondents have not sought modification of the Order and remain bound by its terms.
5. Petitioner's case is not meaningfully distinguishable from the numerous prior Petitions for Writ of Habeas Corpus granted by this Court. Petitioner should not be subjected to further detention in the Western District of Pennsylvania, far from his family and counsel, as a result of Respondent's violation of this Court's Order.
6. Respondents' noncompliance with a direct court order warrants immediate release.

WHEREFORE, Petitioner respectfully requests that this Court:

- a) Order Respondents to immediately release Petitioner from custody;
- b) Order Respondents to immediately cease any transfer of Petitioner out of the Eastern District of Pennsylvania;
- c) In the alternative, order Respondents to return Petitioner to the Eastern District of Pennsylvania forthwith; and
- d) Grant such further relief as the Court deems appropriate.

Respectfully Submitted,

/s/ Fiona Powell
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CERTIFICATE OF SERVICE

I certify that, on this date, I filed the foregoing Response to the Opposition to Petition for Writ of Habeas Corpus via the Court's CM/ECF System, thereby making it available for viewing and download for all parties to the case.

Dated: March 26, 2026

/s/ Fiona Powell

Fiona Powell, Esq.

PA Bar #: 338413

Attorney for Petitioner