



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
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May 6, 2026

By ECF

The Honorable Jennifer H. Rearden
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Alam v. U.S. Immigration and Customs Enforcement*, No. 26-cv-3765 (JHR)

Dear Judge Rearden:

This Office represents the government in the above-referenced habeas corpus action, which was filed earlier today. This evening, the Court issued an order directing the government to state Petitioner's whereabouts as of 3:45 p.m. today. ECF No. 3. I write respectfully to advise the Court that Petitioner was located at the Metropolitan Detention Center ("MDC") in Brooklyn, New York, at the time this action was filed today (and he has been there since May 1, 2026). Consequently, venue is improper in the Southern District of New York, and so the Court should transfer the case to the U.S. District Court for the Eastern District of New York. *See Rumsfeld v. Padilla*, 542 U.S. 426, 437 (2004) ("Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement."); *accord Trump v. J.G.G.*, 604 U.S. 670, 674 (2025) ("For core habeas petitions, jurisdiction lies in only one district: the district of confinement." (cleaned up)); *Khalil v. Joyce*, 771 F. Supp. 3d 268, 280–86 (S.D.N.Y. 2025) (holding that court lacked habeas jurisdiction where petitioner was transferred from 26 Federal Plaza to a facility in the District of New Jersey prior to filing of the petition). To avoid delay in having this matter heard by the proper court, the Court should also waive the seven-day waiting period in Local Civil Rule 83.1.

I thank the Court for its consideration of this submission.

Respectfully submitted,

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cc: Next Friend (by ECF)
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