

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JOSE MANUEL SILVA)	
ANTONIO,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 2:26-CV-00373-BL-CWB
)	
FRANCISCO AYALA, et al.,)	
)	
Respondents.)	

**RESPONDENTS' SUPPLEMENT TO THEIR
MOTION TO DISMISS THE PETITION**

Comes now, the Respondents, by and through Kevin P. Davidson, Acting United States Attorney, and respectfully submit this supplement to their Motion to Dismiss pursuant to the Court's Order (Doc. 13). In response to the Court's show cause order, the Respondents obtained two documents from Pickens County which reflect when Mr. Silva-Antonio arrived. Exhibit 1 is an activity report which shows the actions taken when Mr. Silva-Antonio arrived at the Pickens County Detention Center. This report indicates that the intake process began at 5:13 p.m. and concluded by 5:14 p.m. Ex. 1. Exhibit 2 is an Offender Index which further confirms that Mr. Silva-Antonio was processed at 5:14 p.m. Ex. 2. These times are consistent with Mr. Ayala's prior testimony that Mr. Silva-Antonio arrived at the Pickens County Detention Center at 5:12 pm. *See* Doc. 11-1 at ¶ 10.

Wherefore, the Respondents respectfully request the Court to dismiss the Petition for lack of jurisdiction.

Respectfully submitted this 26th day of May 2026.

KEVIN P. DAVIDSON
Acting United States Attorney

By: /s/Stephen Wadsworth
STEPHEN D. WADSWORTH
Assistant United States Attorney
Bar Number: ASB 9808 E47W
United States Attorney's Office
Middle District of Alabama
P.O. Box 197
Montgomery, AL 36101-0197
Telephone: 334-223-7280
Facsimile: 334-223-7201
Email: Stephen.Wadsworth@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/Stephen D. Wadsworth
Assistant United States Attorney