

1 Respondents admit that Petitioner Peter Lino has had a final order of
2 removal since September 24, 2025. ECF 6 at 2. Respondents do not deny that they
3 flew Mr. Lino to Senegal in February 2026, held him in the airport for 20 hours,
4 and then flew him back to the United States. ECF 1, Exhibit A, Declaration of
5 Peter Lino, at ¶¶ 4, 5. And Respondents do not deny that two weeks later, they
6 again took Mr. Lino to an airport in the United States and then brought him back
7 without removing him. *Id.* at ¶ 6. But believing the third time is a charm,
8 Respondents now claim that they have “scheduled a flight for [Mr. Lino’s]
9 removal on or before June 3, 2026.” ECF 6 at 4.

10 Given that eight months have now passed since Mr. Lino’s order of
11 removal, and given Respondents’ track record of failing to remove Mr. Lino even
12 when they have “scheduled a flight,” this Court should immediately grant the
13 habeas petition. However, because this case is currently set for a hearing on June
14 4, 2026, and Respondents claim Mr. Lino will be removed “on or before June 3,
15 2026,” the Court may alternatively seek an update from Respondents at the June
16 4, 2026, hearing. If Respondents have not removed Mr. Lino by that date, this
17 Court should immediately grant the position.

18 Respectfully submitted,

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20 Dated: May 22, 2026

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