

**FOR THE NORTHER DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

ERICK LEONEL CRISTAL CUMES,

Petitioner,

v.

**Civil Action No. 1:26-CV-00056
(KLEEII)**

TODD M. LYONS, Acting Director, United States Immigration and Customs Enforcement; MARKWAYNE MULLIN, Secretary of Homeland Security; TODD BLANCHE, Acting United States Attorney General; JOHN RIFE, Field Office Director, Philadelphia Field Office, United States Immigration and Customs Enforcement; in their official capacities,

Respondent.

**RESPONSE TO PETITIONER'S REPLY IN SUPPORT OF VERIFIED PETITION FOR
WRIT OF HABEAS CORPUS**

On June 22, 2026, Respondents filed a *Response to Amended Petition and Motion* [ECF No. 23] asking the Court to dismiss the petition for lack of jurisdiction or transfer the action to the United States District Court for the Western District of Pennsylvania. The Response also went into detail on the merits of the petition. [ECF No. 23]. Following further filings and a hearing related to jurisdiction, this Court determined to retain jurisdiction and entered an Order allowing the Petitioner to “submit any briefing in support of the § 2241 petition or opposition to Respondent’s motion to dismiss,” along with deadlines for a further response and reply. [ECF No. 33].¹

On June 29, 2026, Petitioner filed a *Reply in Support of Verified Petition for Writ of Habeas Corpus* [ECF No. 34]. In reviewing this *Reply* the Respondents are satisfied that all of the

¹ The Court noted that “[w]hile Respondents did not file a formal motion to dismiss, Respondents provided relevant briefing at ECF No. 23.”

issues raised in said *Reply* are sufficiently addressed in Respondents' *Response to Amended Petition and Motion* [ECF No. 23]. Thus, the Respondents believe that any further briefing would be duplicative and circuitous, and ask the Court to allow the *Response to Amended Petition and Motion* [ECF No. 23] and *Reply in Support of Verified Petition for Writ of Habeas Corpus* [ECF No. 34] to stand on their own and hereby represents that the Respondents believe the record is sufficiently detailed to allow a ruling on the matters at issue.

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Respondents.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of RESPONSE TO PETITIONER'S REPLY IN SUPPORT
OF VERIFIED PETITION FOR WRIT OF HABEAS CORPUS was electronically filed with
the Clerk of the Court by using the CM/ECF system on the 1st day of July, 2026, which will provide
a copy to all counsel of record.

MATTHEW L. HARVEY
UNITED STATES ATTORNEY

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