



United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

June 5, 2026

BY ECF

Honorable Nina R. Morrison
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Mamadou Sanoussy Diallo v. Todd Lyons, et al.*, No. 26-cv-03364 (Morrison, J.)

Dear Judge Morrison:

This Office represents the Respondents in this habeas action, in which Mamadou Sansoussy Diallo ("Petitioner") challenges his detention by U.S. Immigration and Customs Enforcement ("ICE"). See ECF No. 1 ("Petition" or "Pet.").

Respondents respectfully submit this letter to request, with petitioner's consent, to a one business day extension, from June 5, 2026 at 7:00pm to June 8, 2026 at 5:00pm, of time to provide the Court with all of the information and documentation specified in items (1)-(7) of pages 2 through 4 of this Court's Order to Show Cause dated June 4, 2026 ("OTSC").

Petitioner consents to this request and is *not* requesting an extension of his June 10, 2026 5:00 pm deadline to reply. Notably, Respondents are *not* requesting an adjournment of the conference scheduled for June 11, 2026 at 12:00 pm. All parties are prepared to proceed with the hearing on that date and time.

The extension is needed to allow this Office time to obtain all of the information and documentation necessary to respond to all of the aforementioned items (1)-(7). Also, Respondents did not receive a copy of the Petition until approximately 9:00am this morning. As of this writing, Respondents can provide information in response to the following items:

- (1) Petitioner's A-number, current place of detention, and contact person who can facilitate counsel's access to Petitioner.**

A-number: [REDACTED]

Current place of detention: Brooklyn MDC

Contact person who can facilitate counsel's access to Petitioner: Deportation Officer Crystall V. Harris at Crystal.V.Harris@ice.dhs.gov

- (2) [T]he statutory provision(s) under which Respondents assert the authority to detain Petitioner.**

8 U.S.C. §1231.

In addition, Respondents are attaching hereto copies of certain relevant documents, *i.e.*, the Notice to Appear, the Form I-200A, and the Immigration Judge Removal Order.

This is the first request for an extension or adjournment of any kind by any party in this action. If granted, the requested extension would not affect any other deadlines, or any court appearances, in this action. As mentioned above, Petitioner consents to this request. Thank you for the Court's time and attention to this request.

* * *

Respondents thank the Court for its time and consideration in this matter.

Respectfully submitted,

JOSEPH NOCELLA, JR.
United States Attorney

By: /s/ Tiffany Taveras
TIFFANY TAVERAS
Special Assistant United States Attorney
(718) 254-6033
Tiffany.Taveras@usdoj.gov

cc: All Counsel of Record (by ECF)

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS #: [REDACTED]

DOB: [REDACTED]

File No: A [REDACTED]

Event No: [REDACTED]

In the Matter of:

MAMADOU SANOUSSY DIALLO

Respondent:

[REDACTED]

currently residing at:

(Number, street, city, state and ZIP code)

(Area code and phone number)

- ☐ You are an arriving alien.
- ☒ You are an alien present in the United States who has not been admitted or paroled.
- ☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of GUINEA and a citizen of GUINEA ;
3. You arrived in the United States at or near SAN YSIDRO, CA , on or about September 12, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

290 BROADWAY - 15TH FLR NEW YORK NY 10007

(Complete Address of Immigration Court, including Room Number, if any)

on May 06, 2024 at 08:30 AM to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

Acting/Patrol Agent in Charge

(Signature and Title of Issuing Officer) (Sign in ink)

HICHAM EL OUARGA

Date: 2023.09.14 13:32 -07:00

0381547961.CBP

Date: September 14, 2023

San Diego, California

(City and State)

EOIR - 1 of 3

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

XALICK J CASTORENA
Date: 2023.09.14 18:29:07:00
CBP

Border Patrol Agent

(Signature and Title of Immigration Officer) (Sign in ink)

(Signature of Respondent) (Sign in ink)

Date:

Certificate of Service

This Notice To Appear was served on the respondent by me on _____, in the following manner and in compliance with section 239(a)(1) of the Act.

- ☒ in person ☐ by certified mail, returned receipt # _____ requested ☐ by regular mail
☐ Attached is a credible fear worksheet.
☒ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the _____ FRENCH _____ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served) (Sign in ink)

XALICK J CASTORENA
XALICK CASTORENA, Border Patrol Agent
Date: 2023.09.14 18:29:19 -07:00
CBP
(Signature and Title of officer) (Sign in ink)

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

Content may _____ subject to confidentiality provisions/disclosure restriction: _____ or U.S. law

Uncertified Duplicate produced 04/16/2026 from USCIS CMS; A-Number

U.S. Department of Homeland Security

Order of Release on Recognizance

File No: A [REDACTED]

Date: September 14, 2023

Event No: 

Name: MAMADOU SANOUSSY DIALLO

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- X** You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.

- ☒ You must surrender for removal from the United States if so ordered.

- ☒ You must report in (writing) (person) to

(Name and Title of Case Officer)

at As indicated on the attached ORBC G-56 on _____ at _____
(Location of DHS Office) (Day of each week or month) (Time)

(Location of DHS Office)

(Day of each week or month)

(Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- ☒ You must not change your place of residence without first securing written permission from the immigration officer listed above.

- ☒ You must not violate any local, State, or Federal laws or ordinances.

- ☒ You must assist the Department of Homeland Security in obtaining any necessary travel documents.

- ☐
- Other:

- ☐ See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.

HICHAM EL OUARGA

Date: 2023.09.14 17:06:23 -07:00

0381547961.CBP
(Signature of DHS Official)

Acting/Patrol Agent in Charge

(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read) (had interpreted and explained to me in the FRENCH language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

XALICK CASTORENA

XALICK / CASTORENA

Date: 2023.09.14 18:27:31 -07:00

(Signature of Immigration Officer) *[Signature]*

09/14/2023

(Date)

Cancellation of Order

I hereby cancel this order of release because: ☐ The alien failed to comply with the conditions of release.

☒ The alien was taken into custody for removal.

(Signature of Immigration Officer Cancelling Order)

(Date)



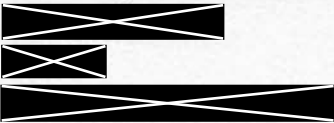
**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
NEW YORK - BROADWAY IMMIGRATION COURT**

Respondent Name:

DIALLO, MAMADOU SANOUSSY

To:

DIALLO, MAMADOU SANOUSSY



A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

05/13/2024

ORDER OF THE IMMIGRATION JUDGE

Respondent was provided written notification of the time, date, and location of Respondent's removal hearing. INA §§ 239(a)(1), (2). Respondent was also provided a written warning of the consequences under INA § 240(b)(5) that failing to appear at such hearing, other than for exceptional circumstances as defined in INA § 240(e)(1), may result in a hearing held in Respondent's absence and the issuance of an order of removal, provided the Department of Homeland Security (DHS) establishes by clear, unequivocal, and convincing evidence that Respondent is removable and that Respondent or Respondent's representative was provided written notification of the hearing as required under INA § 239(a)(1)-(2). *See* INA § 240(b)(5)(A); 8 C.F.R. § 1003.26.

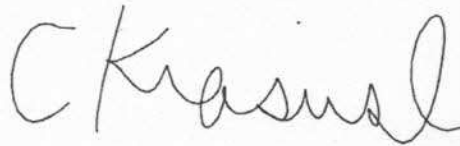
Despite the written notification provided, Respondent failed to appear at the hearing, and no exceptional circumstances were shown for the failure to appear. INA § 240(e)(1). Therefore, the immigration court conducted the hearing *in absentia* pursuant to INA § 240(b)(5)(A). At this hearing, the immigration court determined that:

- ☐ At a prior hearing, Respondent admitted the factual allegations in the Notice to Appear and conceded removability. The immigration court finds removability established as charged.
- ☒ The DHS submitted documentary evidence relating to Respondent that established the truth of the factual allegations contained in the Notice to Appear. The immigration court finds removability established as charged.
- ☐ The Respondent, in written pleadings, admitted the factual allegations in the Notice to Appear and conceded removability. The immigration court finds removability established as charged.
- ☐ Other/Additional Information

applications for relief constitutes an abandonment of any pending applications for relief or protection from removal and of any applications the respondent may have been eligible to file. Those applications are deemed abandoned and denied for lack of prosecution. *See* 8 C.F.R. § 1003.31(h); *Matter of Perez*, 19 I&N Dec. 433 (BIA 1987); *Matter of R-R*, 20 I&N Dec. 547 (BIA 1992).

ORDER: Respondent shall be removed to Guinea or in the alternative to on the charge(s) contained in the Notice to Appear.

Failure to Depart: If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. *See* INA § 243(a)(1).



Immigration Judge: Krasinski, Carolyn 05/13/2024

Certificate of Service

This document was served:

Via: ☐ M] Mail | ☐ P] Personal Service | ☐ E] Electronic Service

To: ☐ M] Noncitizen | ☐] Noncitizen c/o custodial officer | ☐] Noncitizen's atty/rep. | ☐ E] DHS

Respondent Name : DIALLO, MAMADOU SANOUSSY | A-Number : 

Riders:

Date: 05/14/2024 By: CASTILLO, LORENA, Court Staff