LEGAL SERVICES NYC

August 12, 2026

Via CM/ECF

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: *Fouda v. Salazar*, No. 26-cv-6559, Document #27

Dear Hon. Judge Subramanian:

At present, Petitioners "E.X." and "P.X.," two minor children, are in government custody. The government's decision to release these children was shared with counsel for Petitioners via the ECF filing of Document 27, at or around 11:00AM this morning.

As the court and Respondent's counsel are aware, we have a pending petition for writ of habeas corpus in the above-captioned case and our clients have been ordered to be produced for the hearing today at 2 p.m.

As Respondents' counsel is aware, the Petitioner's mother resides 4-7 hours away by car. Based on this new information, she is racing to arrive in the NYC area, and anticipates that she will arrive at Petitioner's address at or around 5 p.m. The Petitioners now and at the time of this hearing will remain in government custody

because of the government's unreasonable delay in processing their mother's sponsorship application.

Respondent's mootness argument is premature, and we respectfully request that the hearing at 2 p.m. move forward as scheduled, especially to ensure the safe release of the Petitioners, two minor children. We further respectfully request that the court give the parties the opportunity to fully brief the issue of mootness for Your Honor's consideration at such time that the Petitioner's are safely released to their mother's care.

Dated: August 12, 2026

Respectfully submitted,

/s/ Liam Lowery
LIAM LOWERY
Melissa Banks
Matthew Johnson
Luis F. Mancheno
LEGAL SERVICES NYC
40 Worth Street, Suite 606
New York, NY 10013
Phone: (646) 442-3338
Email:llowery@lsnyc.org
Attorneys for Petitioners